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The Solicitors' Journal.

LONDON, SEPTEMBER 7, 1867.

WE REGRET to see that, in his speech at the Dublin reform meeting a few days ago, the Lord Mayor of Dublin (who is himself a lawyer by profession) went out of his way to make a violent and unseemly attack upon the Lord Chief Justice of England for having declined to re-appoint Mr. Beales to the office of revising barrister. He is reported to have called this an "unparalleled act, by which the Chief Justice has desecrated his office;" and he appears to have found some analogy between the conduct of Mr. Beales in leading a political movement and at the same time wishing to retain that judicial office, which, of all offices in the kingdom, requires that its occupant should be free from the faintest suspicion (whether well founded or ill-founded) of political partiality, and the political career of Chief Justice Cockburn while at the bar and in Parliament, which, he says, led to his promotion to the bench. We thought that every lawyer, and, indeed, every intelligent layman in the Kingdom, understood the clear distinction between a man's political course before he is on the bench, which, experience has taught us, leads neither to partiality in the judge nor distrust in the public, and any display of partisan feeling after he is on the bench, which we know is not only likely, but certain, to produce suspicion and want of confidence on the part of suitors or those interested in his decisions.

IT WILL probably be in the recollection of some of our readers that a short time ago some letters appeared in the *Pall Mall Gazette* in which the question "Is the Bar a Trade's Union" was discussed. There were we believe, on that occasion, two letters which maintained the affirmative of the proposition, while it was strongly denied in a third. There the matter ended so far as the *Pall Mall Gazette* was concerned, but in the last (the August) number of the *Fortnightly Review* these letters are made the foundation of an article by Mr. Albert Dicey, in which that gentleman examines, "First, what as a matter of fact are the peculiar rules, if any, which govern the legal profession? Secondly, if such rules exist, how far and on what grounds are they to be vindicated." The former of these two questions is answered easily enough. Mr. Dicey has no difficulty in coming to the conclusion that the Bar is a protected profession. We think that very few persons who have given any serious attention to the subject will dissent from this view. A profession is free when anyone can enter it when and how he pleases, and can conduct himself therein as he likes, without being subject to any rules peculiar to the profession, "such a trade is, for example, a hatter's or a glover's, and such a trade the Bar most emphatically is not." Not only is the entrance to the Bar not free, but the profession is first separated into two broad divisions, of which solicitors and attorneys form one branch, and barristers, pleaders, and conveyancers, together with sergeants and Queen's Counsel, form the other branch. Each of these sub-divisions of this latter portion of the profession is governed by rules and regulations more or less peculiar to itself; and everyone of these arbitrary distinctions, as well as each of these rules for regulating the conduct of the persons who comprise the legal profession is an invasion of the principle of free trade. So far, therefore, Mr. Dicey had an easy task, but the second question which he proposed to answer is one which does not admit of so ready or satisfactory a solution. He begins by noticing the peculiar position held by that branch of the profession which is not admitted to the privileges of the bar. "Attorneys are allowed to grow rich, but they are allowed no other prizes of legal success except wealth. There is perhaps no other profession pursued by persons in the position of gentlemen which offers no public prizes as a reward for eminence." He then touches on some other undeniable evils of the present protective system, but having done so he does not venture to answer his own second question. He talks vaguely about advantages and disadvantages, but it is only by mere conjecture that any reader can ascertain what are the authors own opinions about this important matter. This is rather disappointing to those who have followed the reasoning up to this, the most interesting point. It is enough to make one feel a little indignant to be told by way of conclusion that "whether the advantages or disadvantages of the system are held to predominate will ultimately depend on the judgment formed as to its effect in keeping up a certain professional tone."

"THE COUNCILS OF CONCILIATION ACT, 1867" (30 & 31 Vict. c. 105), which became law on the 15th inst., has been passed with the very laudable object of settling differences between masters and workmen by some less disastrous process than that now generally adopted. And though this is not the first statute which has been passed on the subject, the scheme which it embodies is essentially different from anything hitherto tried in this country, resembling somewhat the French system of *conseils de prud' hommes*.

The 1st general Act having this object in view was the 5 Geo. 4, c. 96. That Act provided that in case of a dispute between master and workman upon any one of a number of subjects which are enumerated in detail, but which all fall under the general description of disputes arising out of the contract between the parties, such as disputes about the agreed wages or hours of work, the quantity or quality of the materials provided, and the like, then either party may apply to a justice of the peace for an arbitration or reference. The justice is thereupon to name a certain number of persons, half of them masters and half workmen, out of whom each party is to choose one. The two thus chosen are to be referees in the matter, and their award is to be final and enforceable by distress.

The new Act purports to supplement and extend that just referred to. It provides that if any number of masters and workmen in any particular trade and place shall at a special meeting agree to form a council of conciliation and arbitration, and shall petition the Queen to grant them a license to form it from among themselves, Her Majesty may grant such license. The council is to consist of a chairman, who shall be some person unconnected with trade, and for the rest of workmen and masters equally, neither less than two nor more than ten of each; the chairman to be elected by the council, and the other members (after the first selection) to be chosen annually by the masters and workmen of the trade respectively. The council thus formed is to have jurisdiction in the same kinds of disputes as those provided for in the earlier Act, if submitted to them by both parties, and in any other dispute or difference by mutual consent. Their award is to be final and likewise enforceable by distress.

The scheme thus provided, it will be observed, differs materially from the earlier one. It provides for a permanent tribunal instead of mere referees appointed *pro*

hac vice. It is to come into operation only on the petition of masters and workmen in the trade in which it is to be applied, and no doubt a license would only be granted if a very substantial number of each applied for it. And, again, each individual question can only be submitted to the tribunal by consent.

The weak points of any such scheme are principally two. In the first place, such councils could never be created, or if they were, would never be appealed to, unless the very best terms of mutual confidence existed between master and man; and if that were so the councils would scarcely be necessary. In the second place the only disputes which the law either does or could remit to the decision of the Councils are disputes arising upon the terms of the existing contract between master and workman. But all the really important disputes between the two classes have to do, not with the present terms of employment, but with proposed terms of future employment, and are, therefore, not within the Act. Still if such counsels once became general (and it is possible, though we think hardly probable, that they may) their practical influence would be sure to become very great, far greater than their legal power, and many disputes would no doubt be settled by them which are now settled by a war of strikes and lock-outs.

In the *Times* report of the investigation a few days since, before Mr. Partridge at the Lambeth Police Court, into a charge of murder against a man named Louis Bordier it is stated that "Mr. Inspector Davey and Sergeant Turner, of the P division of Police, attended to conduct the prosecution," and toward the conclusion of the report, "Mr. Inspector Davey, in answer to the magistrate, said that was all the evidence which it was proposed to adduce." We do not quite know what the learned inspector and sergeant did on the occasion; but from the report that they "conducted the prosecution," we might infer that the inspector stated the case, and then with the sergeant as a sort of junior, examined the witnesses, and ultimately announced the prosecution to have closed.

If anything of this kind did take place, it is obviously wrong. But we can hardly suppose it, although it is not the first time that inspectors of police have been reported to act in some such capacity. They are generally, however, said to "watch the case on behalf of the Commissioners of Police," not to "conduct the prosecution." If, as we suppose, the police merely brought up the witnesses, and left it to the magistrate to interrogate them when necessary, then the language of the report is very absurd.

While in England we are groaning under the evils of our jury system, it is interesting to look across the Atlantic and to observe one very important part of the American jury system, namely, the payments made to jurors. According to an account of the Surratt trial in the *New York Times*, it appears that jurors are allowed two dollars a day during the continuance of the trial, and in this particular instance the trial lasted fifty-nine days including Sundays; and the government is also responsible for the hotel bill of the jury, which must amount to no small sum. This moderate pay, however inadequate as a remuneration, is far better than the few paltry shillings which a British juryman would receive in a similar case.

To some men on the jury lists even two dollars a day or twenty times that amount would be insufficient to pay for the loss of time and loss of business consequent on attending such a trial; and such perhaps was the gentleman who last week sent his foreman to represent him on the jury. It is not, however, and never was intended, that jurymen should be repaid the exact amount they could earn at their own calling. To serve on juries is a duty each man owes to the State, and only those are exempted from that service who are, or are supposed to be by implication, serving the State in some other manner. In this as in many matters we may learn something from America; and it will be worth while, should the select committee on the subject be reappointed, to examine into this part at least of the working of the American jury system.

During the last sittings at the Central Criminal Court, Mr. Commissioner Kerr, in a conversation between himself and counsel as to adjourning some case, announced that he would not sit at the Central Criminal Court as a judge after next (*i.e.*, September) session. It was apprehended at first that the learned commissioner must have been misunderstood, until the cause of the termination of his labours as one of the judges at the Central Criminal Court became understood. By the New County Court Act the Sheriffs' Court is reconstituted so far as being included under the Act as a "county court," and being subjected to the same rules as other county courts. Its name also is changed from the Sheriffs' Court to the "City of London Court." It is this change of nomenclature which affects Mr. Commissioner Kerr, as the Act constituting the Central Criminal Court as it now exists, and which provided that the judge of the "Sheriffs' Court," for the time being should act as a judge of the Central Criminal Court, will no longer apply to him; and thus he will be relieved from his duties at the Old Bailey.

We gave, in p. 908, some statements from the judicial statistics of former years, showing the extent of the assize business on three of the circuits. On the Norfolk circuit the average, for two years, of causes entered for trial was 65; the number during the year 1866 (according to the volume of statistics lately issued) was 97, giving an average to each of the 9 assize towns of not quite 10 (instead of 7). On the South-Wales circuit the average was 41, and this became increased, during 1866, to 62, giving an average of 9 (instead of 7) to each of the 7 towns. On the North-Wales circuit the average for the two years was 53, the exact number in 1866, giving an average of 7 for each of the 7 assize towns. It seems hardly likely, from what we have recorded from time to time regarding the scarcity of business on the Norfolk circuit during the assizes lately terminated, that the average for 1867 can be so high as for 1866, but, as we stated in p. 927, there are no less than fifty-six barristers appearing in the present year's "Law List" to belong to this circuit, and this array of counsel seems quite out of proportion to the amount of business. We trust the matter will be duly brought to the attention of the Royal Commissioners whose intended appointment was announced by the Chancellor of the Exchequer on the 30th July (see *ante*, pp. 917 and 927).

The decision of Sir Thomas Henry in the case of the Circular Delivery Companies, reported in our last number, has been much misunderstood, and some unwarrantable conclusions have been drawn from it in the daily papers. Yet the case was really a very plain one. The statute 7 Wm. 4, and 1 Vict. c. 33, s. 2, enacts that the Postmaster-General shall have the exclusive privilege of conveying letters, and of performing the incidental services of receiving, collecting, sending and delivering them, except in certain cases. The only exception which could have applied to the case in question is as follows:—"Letters sent by a messenger on purpose, concerning the private affairs of the sender or receiver thereof." "But nothing herein contained shall authorise any person to make a collection of such excepted letters for the purpose of sending them in the manner hereby authorised."

The persons charged before Sir Thomas Henry had kept an office for collecting, and had collected, carried, and delivered circulars entrusted to them by tradesmen for delivery. And Sir Thomas Henry decided that circulars are letters within the meaning of the Act, and, that

being so, that the business carried on by the accused was within the prohibition. As to the first point we think the learned magistrate was clearly right. Circulars differ from other letters only in this—that they are identical letters sent to a number of people, instead of a different one being sent to each. The other point seems too clear for argument.

But it by no means follows from this decision, as some of our contemporaries have assumed, that a tradesman who wishes to have his circulars left from house to house in any district must use the post office for the purpose, and cannot have them delivered in any other or cheaper way. It is clear that, provided his circulars "concern his private affairs," he may send his own servant with them, or may hire a messenger or any number of messengers, commissionaires or otherwise, to deliver them from door to door. And in so doing neither he nor the messenger will do anything illegal; though a messenger would commit an offence if he *collected* the circulars of tradesmen for the purpose of delivering them.

It is almost impossible to resist the unwelcome conclusion that the practice of advertising by professional men is on the increase. In another column will be found a letter from a correspondent inclosing a kind of circular issued by an attorney in Dublin. This document seems to have been circulated in England, though from its style we should rather have guessed that it was intended for America. As to advertising in any form our views are well-known. They are those of the whole profession in this country, and, from our knowledge of the profession in Ireland, we have no doubt that its public opinion is quite as strong and quite as general upon this subject as in England.

THE TAILORS' STRIKE.

The trial of certain members of the Operative Tailors Association at the last session of the Central Criminal Court has not involved any extensive accession to the body of our law on the subject of conspiracy, but it is not without importance from a legal as well as from a public point of view. The exposition of the law by Baron Bramwell may perhaps help lawyers hereafter in the very difficult task of drawing the line of distinction between a lawful combination and an unlawful conspiracy, while the substantial result will teach a large and by no means despicable portion of her Majesty's subjects a truth which will probably prevent them from inflicting a very grievous wrong on others and possibly a serious injury on themselves.

The prisoners, George Druit, Matthew Lawrence, and John Adamson, with several other persons, were indicted for a misdemeanour in conspiring together by unlawful ways, contrivances, and stratagems, to impoverish Henry Poole and others in their trade and business, and in restraint of trade and the freedom of personal action. The circumstances under which this indictment was preferred may be briefly stated. Druit was the president, Lawrence the vice-president, and Adamson the secretary, of the Operative Tailors' Association. The other prisoners were operative tailors, and, if we remember rightly, members of the Association. In 1866 a difference arose between the masters and men, which ended in the masters acceding to a claim for advance of wages put forward on the part of the men. Early, however, in the present year the operative tailors again put forward another claim for a re-arrangement and a further increase of the scale of payment. This the masters refused, and the result was that, after a good deal of fruitless negociation, a strike was declared at a meeting of the operative tailors on the 22nd of April of the present year. At this meeting, which was attended by about 3,000 persons, all or mostly all operative tailors, Druit presided, and Lawrence acted as vice-president. Adamson also took an active part. Lawrence proposed, and someone else (it did not appear that it was either of the other two principal defendants) seconded the resolution declaring the strike. Druit then explained that in order to render the strike effective they must adopt the system of "picketing," which was explained to mean stationing bodies of men, generally about half-a-dozen, near or opposite the shops of obnoxious masters. Their business was, at least so far as could be gathered from their conduct, to watch persons arriving at, or coming from, the shops, whether masters, workmen, customers, or others. In the case of customers the object appeared to be to render their visits so inconvenient and uncomfortable as to prevent their coming to the shop again. Instances were mentioned by the witnesses for the prosecution of the pickets having surrounded carriages stopping opposite certain shops, and, by offensive inquisitiveness or insulting demeanour, directed *at* rather than *to* the occupants and attendants, making it very unpleasant for them to come to or wait at such shops. In the case of workmen the course followed was to hoot, insult, and call by a variety of offensive and degrading names, such as "cowards," "curs," "dungs," anyone seen visiting the shop, and frequently, if not generally, the pickets followed workmen leaving the shops along the streets, assailing them with abuse; vague threats of future injury, were often added to the hooting and ill-names. In many cases the men were followed or watched to their homes, apparently for the purpose of learning their addresses, or perhaps to impress them with the apprehension of something being organised against them. In one or two instances women were followed in this way and were so frightened that they ran into Police-stations for protection. The system was calculated to prove equally annoying to the masters. The pickets generally increased in number in the evenings, and literally laid siege to the shops of obnoxious masters, causing noise and tumult, very much calculated to alarm those against whom they were directed. In some cases the crowds swelled to 300 or 400 persons. Conduit-street was the neighbourhood most subjected to these annoyances, so much so that 40 or 50 additional police had to be stationed there. The strike was declared on the 22nd of April, and on the following day the system of picketing began. In a week after it commenced a second meeting was held, at which, from 3,000 to 5,000 men attended, among whom was recognised a great number of those who had been observed acting as pickets. Druit addressed this meeting, and described the state of embarrassment to which the masters were reduced by the picket system, and went on to tell them in a spirit of congratulation that two thirds of their (the master's) work was knocked off, and that the remainder would soon follow if the picketing were continued. After this meeting about a dozen sub-committees were formed to carry on the work more effectively. These committees held their meetings at various public-houses every morning and evening, where they reported progress and organised their plans. All the prisoners, except Druit, Lawrence, and Adamson, were seen to act as pickets, and though none of these were seen to act as such they had been often seen conferring with the subcommittees and the men who were acting more openly.

Such is an outline of the facts on which a jury under the direction of the judge found the three principal defendants guilty of conspiring as charged in the indictment. The professional reader will find little difficulty in this case, and have little hesitation in coming to the conclusion that, on the facts as just summarized, the three principal persons were guilty of conspiring to do an unlawful thing by unlawful means, and that it was by a somewhat merciful view of their case that the subordinate characters on the plot were found not guilty. The judge laid down the law with abundantly sufficient clearness and accuracy for the purposes of the case before him, and in a manner which can leave little doubt as to the illegality of the means by which the Operative

Tailors' Association sought to redress their grievances. Where the law, he told them in effect, gave a right, it provided a remedy for the violation of that right; and there was no right which the law of England guarded so jealously as the right of personal liberty and security. That liberty was not of the body merely, but that also of the mind and will; so that a man should be as free to bestow himself, his means, his talents, and his industry, as his body, untrammelled by physical control. Any persons therefore combining to coerce that liberty of mind and will were guilty of an offence against the law. The coercion need not be of a physical kind; anything that is unpleasant and annoying to the mind operated on, such as threats, would come under that description. This was the common law of the land, and it was, moreover, embodied in the 6 Geo. 4, which provided that any one who should by threats, intimidation, molestation, or any other way, obstruct, force, or endeavour to force, any journeyman to depart from his hiring, &c., should be guilty of an offence. This Act received a liberal construction by a section of an Act passed in 1859, which provided that workmen merely endeavouring peaceably and without threats, direct or indirect, to persuade others from working should not be guilty of an offence under the former Act. Did the jury think that the picket system came under the last Act or the former? If they believed the witnesses for the prosecution, was the system adopted a peaceable endeavour to persuade or an attempt to coerce by threats and other improper means? Even if they were satisfied that the system was not carried beyond watching and observation, but yet was so serious a molestation that it would have an effect on the mind of the workmen, they were bound to convict such of the prisoners as they were satisfied took part in the combination. The jury found the three principal prisoners guilty, and acquitted the remaining five.

Baron Bramwell's charge, of which we have given an abstract, has given rise to much discussion in the press, and very different estimates have been formed of it. Some writers have spoken as if the learned judge had made a great and valuable contribution to our knowledge of the criminal law. Others have charged him with a dangerous extension of the law of conspiracy. In fact, this praise and blame are equally undeserved. His Lordship did what it was his duty to do, and no more. He laid down the law applicable to the case before him, and so far as it was necessary for the decision of the case. To this extent he stated general principles; to this extent he defined and distinguished. In estimating the bearing therefore of his words we must keep the circumstances of the case always in view. When he said that liberty of the mind is to be protected against infringement by anything likely to cause annoyance; and when he told the jury to inquire whether the defendants had attempted coercion or only persuasion, he used language very suitable for directing, and which, in fact, did direct, the minds of the jury aright in the case before them; but he did no more, and attempted no more. It would be absurd to treat this charge as a philosophical exposition of the law of conspiracy. If we looked at it in that light we should have to ask what kind of mental annoyance it is improper to cause in others. To some men it is excessively annoying to hear their own opinions opposed, even in quiet argument. Does, then, a combination for purposes of discussion become an unlawful conspiracy? Again, who can distinguish abstractedly between persuasion and coercion? Where does the one stop and the other begin?

The real value of this trial is simply this. It has taught trades unionists, and others concerned in strikes and lock-outs that certain practices are illegal, and they can easily extend the rule by analogy to other and similar practices. And thus a course of proceeding which did much injury to individuals, and much harm to the public, may we hope be stopped.

THE LAW OF LIBEL.—II.

In our former article we endeavoured to ascertain what the common law as to blasphemy at present is. But the law of blasphemy does not rest wholly on common law principles; the common law has, from time to time, been fortified by a number of statutes, some of which have since been repealed, while others are still in force. The most important of those now in force is the statute 9 & 10 Will. 3, c. 32, which is entitled "An Act for more effectual suppressing of blasphemy and profaneness." It enacted that "if any person, having been educated in, or having at any time made profession of the Christian religion within this realm, shall by writing, printing, teaching, or advised speaking, deny any one of the persons in the Holy Trinity to be God, or shall assert or maintain that there are more gods than one, or shall deny the Christian religion to be true, or the Holy Scriptures of the Old and New Testaments to be of divine authority," he shall on conviction be adjudged incapable of any office; and, on a second conviction, shall be disabled to sue, &c., at law or in equity, to be a guardian, executor, or administrator, receive a legacy or deed of gift, or bear any office or benefice, and shall further suffer imprisonment for three years. It is provided that information of an offence against the Act must be given within four days, and that the prosecution must be within three months.

At the time this Act was passed, people were particularly venomous against Unitarians; they were excluded from the Toleration Act, and were especially aimed at in the words just cited. But in George the Third's day the Unitarians had become a respectable and influential body, and therefore to deny the Trinity had naturally ceased to be blasphemy. Accordingly, by the 53 Geo. 3, c. 160, the benefits of the Toleration Act were extended to Unitarians, and the Act just cited was repealed so far as concerned them. But it remained and still remains in full force for other purposes.

Under this statute therefore the law now stands thus. Any one brought up a Christian who advisedly denies the truth of Christianity or the divine authority of the Bible, is liable for the first offence to be declared incapable of office, and for the second to be outlawed and imprisoned for three years. It is wholly unimportant in what form this denial be—whether printed, written, or verbal. So the animus and object make no difference; there is no distinction between the calmest philosophical discussion and the most wanton ribaldry. It may be in a book, or a public lecture, or in the street, or in a letter to a friend, or at a man's own table; what the law forbids is the expression of certain opinions, without regard to circumstances, manner, or motive. The statute law in truth, unlike the common law, as to blasphemy has at least the merit of being perfectly clear and free from doubt. And it is well that the law should be known, not only because it is interesting to see how curiously out of harmony our law sometimes is with the spirit of our age, but for more practical reasons too. Wandering through the statute book and lighting on such Acts as these is like walking through a museum where the warlike weapons of our forefathers are displayed—their war-clubs and their bows. But we must remember that they rest upon their shelves only because no one cares to disturb them. It may happen any day that some crazy enthusiast, or blundering bigot, some Quixote, or some Hudibras, will take down one of these same war-clubs and wield it as of old, no doubt to his own confusion, but with much danger to the skulls of his neighbours, and much discredit to the country.

Such being the present state of the common and statute law as to blasphemy, we shall next endeavour to ascertain on what principles it is all based; and this may incidentally throw light upon the question what the common law rule is, which, as we have seen, is somewhat doubtful. But, unfortunately, the grounds of the law are even more doubtful than the law itself. In all

the judgments on this matter we find a peculiar prevalence of virtuous indignation, fine language, and phrases incessantly recurring, all which to the weather-wise are infallible signs of fog. One thing is pretty clear, that from Chief Baron Hale to Chief Baron Kelly judges have always been largely influenced, both in laying down the law and in awarding punishment for its breach, by a motive which they have studiously disclaimed—namely, their horror at the wickedness of blasphemy. They have constantly disavowed any notion of taking on themselves to avenge an offence against God, or punishing anything because it is sinful. But their real frame of mind in this respect is expressed to perfection in the words of Ashurst, J., when sentencing Williams, the publisher of Paine's Age of Reason [26 State Trials, 653]—"Although the Almighty does not stand in need of the feeble aid of mortals to vindicate his honour and law, it is nevertheless highly fit that courts of judicature should show their abhorrence and detestation of people capable of sending into the world such infamous and wicked books."

But let us turn to the avowed grounds of the law of blasphemy. Properly analysed they will be found to be several in number, and quite distinct from one another. The matter is commonly stated thus:—"Christianity is part and parcel of the law of the land; therefore, to attack it is illegal, and the offence is called blasphemy." This has been said a hundred times, and it is repeated by the Lord Chief Baron; but it is evident that such language conveys no definite idea to anybody's mind, and, therefore, however impressive it may be for rhetorical purposes, it gives no help to the student of law. But certain notions, more or less tangible, may be discovered underlying this venerable clap trap. What some people have meant is this:—A certain religion is established by law; its doctrines, its discipline, its forms, are either Acts of Parliament or created by Act of Parliament; to attack that religion is therefore to attack the law, and is unlawful. Alderson, B., in *R.* v. *Gathercole*, 2 Lewin 237, is reported to have put this view as follows:—"A person may, without being liable to prosecution for it, attack Judaism or Mahomedanism, or even any sect of the Christian religion, save the Established religion of the country, and the only reason why the latter is in a different situation from the others is because it is the form established by law, and is, therefore, a part of the constitution of the country. In like manner and for the same reason any general attack on Christianity is the subject of criminal prosecution, because Christianity is the Established religion of the country." This reads clearly, but is it sound? Is it a crime to attack or ridicule any part of the law, or anything established by law? Would Baron Alderson, for example, have held it an indictable offence to heap with ridicule the Bankruptcy Act, or the practice at Judges' Chambers, or the compound householder, or the office of parish clerk, or the Lord Mayor's journey to Westminster? Yet each of these is, in its way, "part of the constitution of the country." One curious result of this view would be that there could be no common law offence of blasphemy in America, because there is no established religion there. But American judges have thought otherwise. In fact this notion of Baron Alderson's is utterly untenable.

Another idea underlying the words, "Christianity is part and parcel of the law," may be found in the sentence of Ashurst, J., already referred to, as well as in a multitude of other places. He says, "Offences of this kind are crimes against the law of the land, inasmuch as they tend to destroy those obligations whereby civil society is bound together; and it is upon this ground that the Christian religion constitutes part of the law of England." He afterwards adds that, by tolerating blasphemy, "the solemnity of an oath, on which the due administration of justice depends, would be destroyed." Now all this language is very loose, but the logic of the view, stated strictly, seems to be this: Civil society cannot exist in safety unless men recognise certain obligations as binding upon them—the duty of obeying the law, submitting to constituted authority, telling the truth when on oath, and the like. These obligations rest upon the basis of Christianity; they would not be binding upon men, or at least would not be observed, but for the precepts of the Christian religion. Therefore, to attack Christianity is to cut away the whole foundation of civil society. The simple answer to any such idea is, of course, that the law of England has distinctly rejected it. The law knows no distinction between the oath of a Christian, a Jew, a Turk, and a Pagan. And it is the same with other things.

But there are, after all, reasonable and intelligible grounds upon which the law of blasphemy may well be rested. And, no doubt, these reasons must have been more or less consciously present to the minds of judges when they have talked the usual common-places about Christianity being part and parcel of the law. We shall discard this common-place at once, and state as shortly as possible the reasonable grounds we refer to. The law assumes, and assumes with truth, that the enormous majority of persons in this country believe the Christian religion to be true, its precepts to be binding upon them, God to be entitled to their worship, and the Bible to their reverence. No habit can be imagined more demoralising than the habit of treating with levity what people still believe to be sacred, of trifling with obligations which they yet hold to be binding. And, therefore, to guard against such contamination, the law very reasonably forbids all wanton and profane attacks upon what the people, as Christians, hold to be most sacred. This is well expressed in the judgment of Chief Justice Kent, from which we have already quoted: "The people of this country profess the general doctrines of Christianity as the rule of their faith and practice; and to scandalise the author of these doctrines is not only, in a religious point of view, extremely impious, but, even in respect of the obligations due to society, is a gross violation of decency and good order. Nothing could be more offensive to the virtuous part of the community, or more injurious to the tender morals of the young, than to declare such profanity lawful. It would go to confound all distinction between things sacred and profane; for, to use the words of one of the greatest oracles of human wisdom, 'Profane scoffing doth by little and little deface the reverence for religion;' and who adds in another place, 'Two principal causes have I ever known of Atheism, curious controversies and profane scoffing.' Things which corrupt moral sentiment, as obscene actions, prints, writings, &c., have upon the same principle been held indictable."

This passage places the law of blasphemy upon a rational basis, the only rational basis upon which it can be placed. But looking at the matter in this light it is plain that the whole essence of blasphemy lies in its insincerity, and that no rule of law founded on these considerations ought to have any application to the honest expression of opinion. And so Chief Justice Kent, as we have seen, understood it.

THE LEGISLATION OF THE YEAR.

30 & 31 VICTORIÆ, 1867.

Cap. VI.—*An Act for the establishment in the Metropolis of asylums for the sick, insane, and other classes of the poor, and of dispensaries; and for the distribution over the Metropolis of portions of the charge for poor relief; and for other purposes relating to poor relief in the Metropolis.*

It has been considered as a great triumph on the part of Mr. Gathorne Hardy that he should, during the short period he held the office of President of the Poor Law Board, be able to bring in, and carry through both Houses of the Legislature, so comprehensive a measure as the Metropolitan Poor Act, 1867; and, without doubt, it is true that the measure is not only comprehensive, but of such a nature that, if carried out fully, it ought

to affect a material amelioration in the condition of the poor of London.

The Act is limited to the metropolitan district, as defined by the "Metropolitan Management Act, 1855." Section 5 provides that asylums may be provided for the reception and relief of the sick, insane, or infirm, or other class or classes of the poor chargeable in unions or parishes of the metropolis. In order that these asylums may be provided, section 6 empowers the Poor Law Board to combine unions or parishes into districts, and section 7 provides that there shall be an asylum for each district. The managers of an asylum are to be a corporate body, partly elective and partly nominated. Ratepayers qualified to be guardians are eligible as elective managers; they are to be elected by the guardians, who are at liberty to choose some of their own body as managers. Justices of the peace resident within the district may be nominated by the Poor Law Board as managers. In order to enable the managers of an asylum to carry out the Act, they are empowered to purchase land and to borrow money, and charge the amount on the poor rates of the unions or parishes forming the district.

All the powers already conferred by statute upon guardians of the poor with respect to the government of workhouses are conferred, *mutatis mutandis*, upon the managers of asylums.

Sections 38 to 46 empower the Poor Law Board to direct dispensaries to be provided with a committee of management, and a staff of dispensers and servants to administer out-door relief to the poor.

By sections 47 to 49 so much of section 47 of the Poor Law Amendment Act, 1844 (7 & 8 Vict. c. 101), and of the Act of 13 & 14 Vict. c. 11, as provides for payments by unions for schools is repealed so far as it relates to any districts in the metropolis, and those payments are to be defrayed by contributions from unions or parishes forming a district under this Act.

The 50th section empowers one parish, under certain conditions, to receive the poor of another parish and to lodge them in its workhouse, but provides that the law of settlement of such poor persons shall not be affected thereby.

Contributions by unions and parishes are to be assessed upon them in proportion to the annual rateable value of the property therein comprised, and calls are to be made by the managers of asylums and boards of district schools, and may be recovered from overseers in the same way as poor rates may be recovered by guardians.

Section 60 repeals sections 1 and 5 of the Metropolitan Houseless Poor Act, 1864, which provides for reimbursing parishes by the Metropolitan Board of Works for the expense of lodging, &c., of certain poor.

Sections 61 *et seq.* provide for the institution of a metropolitan common fund, to be raised by contributions from the several unions and parishes in the metropolis. There is to be a receiver appointed who is to open an account with the Bank of England. Contributions to this fund, which is to be called the "Common Poor Fund," are to be assessed by the Poor Law Board, and are to be collected and recovered by the receiver in the same manner as guardians may recover rates from overseers. Out of the common poor fund are to be paid the expense of the maintenance of lunatic poor in asylums, and of insane poor in asylums under this Act, except those chargeable on the county rate; of the maintenance of patients in any asylum provided under the Act for fever or small-pox patients; of medicine, &c.; of salaries of officers employed by managing districts schools, and managers of asylums, and the salaries of dispensers; of compensating any officer affected by this Act; of fees for registering births and deaths; of vaccination; of maintenance of pauper children in district and other schools; and of the relief of destitute persons under the Metropolitan Houseless Poor Acts.

Relating only to the metropolis, this Act may be looked upon as an experiment; it received the Royal assent on the 29th of March, and but little is known to the public of the attempts hitherto made to put it into operation, except that they have been met by all boards of guardians, and other parochial authorities, with the most strenuous opposition. It would be very much to be regretted that an Act such as this, which has every appearance of extreme usefulness, should not have a fair trial.

Cap. VIII.—*An Act for facilitating in certain cases the proceedings of the Commissioners appointed to make inquiry respecting Trades Unions and other associations of employers and workmen.*

Cap. LXXIV.—*An extend to extend the "Trades Union Act*, 1867."

The Trades Union Commission Act, 1867, having been among the first batch of Acts which this session received the Royal assent, was immediately put into operation, and the public is now enabled to judge for itself as to the expediency or otherwise of some of its most important provisions.

Section 2 of that Act directs that the Commissioners acting under the Royal Commission issued under the Act are to inquire into any "acts of intimidation, outrage, or wrong, alleged to have been promoted, encouraged, or connived at by Trades Unions or associations, whether of workmen or employers, in the town of Sheffield" and its neighbourhood, and as to the causes of such acts; and by the same section the inquiry must be held at Sheffield, and is to be limited to cases which have occurred within ten years. All the world is already familiar with the nature of the revelations made by the various witnesses examined before the Commissioners; how an organized system of outrage, intimidation, and murder, all for the purpose of furthering the objects of Trades Unions has been brought to light, and how the perpetrators of these deeds have, in pursuance of this Act, received an indemity for having, in the words of the 4th section, made "a full and true disclosure" touching all the matters in respect of which they have been examined.

The first Act was in a measure "worked out" when the inquiry held at Sheffield was completed, but the Extension Act, which received the Royal assent on the 12th of August, adopts all the powers and provisions of the first Act for the purpose of extending them to any other place respecting which the Trades Union Commission may apply to the Secretary of State far an inquiry, so that, *mutato nomine*, all its sections may be read as applying to any place.

All the powers, rights, and privileges of the Superior Courts with respect to enforcing the attendance and examination of witnesses, the production of documents, and the punishment of contempt, as well as the issuing of summonses and warrants for these purposes, are conferred upon the Commissioners by the 3rd section, which also directs that the inquiry shall be conducted in public.

Many opinions have been expressed on the provision of the 4th section which goes to indemnify witnesses who make a "full and true disclosure," and it has been boldly asserted that all the evidence which was adduced before the Commissioners at Sheffield might have been obtained from other sources than the mouths of the guilty witnesses.

Judging even after the event it is indeed difficult to believe that this could have been the case. The strong mutual support and cohesion of the members of the Sheffield Trades Unions enabled them, in spite of the police, to keep their secrets. This secrecy, it may be said, was upheld by means of intimidation, and the use of bribes and threats. But no revelation of any importance was made until the indemnity was offered, and even then the truth came out but slowly. Looking, therefore, upon this part of the Act as a matter of expediency we must perforce reconcile ourselves to it upon that ground, though all must regret that more than one great criminal has by its means hitherto escaped his well-merited deserts.

The 6th section provides for the payment of the expenses of witnesses out of the Treasury.

The Extension Act contains an additional provision to indemnify persons publishing a true account of any evidence taken before the Commissioners.

Cap. XII.—*An Act to amend the Law relating to Criminal Lunatics.*

"Ordered to be kept in safe custody during her Majesty's pleasure," is a phrase often appended to reports of cases where the verdict is not guilty, on the ground of insanity. To criminals coming under this description, and to persons sentenced to penal servitude who are mentally unfit for penal discipline, this Act applies.

By the 5th section, which is the only one of any great importance, power is given to the Secretary of State "to discharge absolutely or conditionally any criminal lunatic." If the conditions of his discharge are broken the criminal shall revert to his former position.

It would perhaps be going too far in these days, when public opinion exercises so much sway, to suggest that such a power as this reposed in one individual is likely to be used for improper purposes, but it at least offers serious temptations and facilities for its abuse. Recent experience of the mode in which Home Secretaries can act in recommending or refusing to recommend the exercise of the Royal prerogative of mercy, does not encourage us in a belief that this additional power will be satisfactorily applied. Lunacy is a subject, of all others, on which doctors differ. Our readers will perhaps call to mind the dictum of a coroner who told the jury that the accused must be mad, because "no one in his senses would attempt suicide," and in many of the *causes celèbres*, where the charge has been murder or manslaughter, attempts, more or less successful, to prove the insanity of the accused have been made without any particular ground. When a criminal has been publicly tried and acquitted on the ground of insanity, the act being proved against him, he should not, without equal publicity, be released from that custody which is the only precaution against criminal acts in his future life.

In short it is highly objectionable that, when there is a surplus of criminal lunatics in detention, the sole power to release a number of them in order to make prison room should be in the Secretary of State.

RECENT DECISIONS.

COMMON LAW.

Green v. *Ingham*, 15 W. R., C. P., 841.

Policies of life assurance are one of the kinds of security most frequently met with in investigating transactions between borrowers and lenders. The borrower insures his life and assigns his interest in the policy to his creditor as a security for his debt, at the same time covenanting to pay the annual premiums. The creditor is thus secure of ultimately getting his money, subject only to the contingency of having to pay the premiums in the event of the debtor being unable to do so. It is possible that the premiums and debt may exceed in amount the sum to be received under the policy, and of course in such a case the policy would be of little value as a security. This danger may, however, be usually avoided, especially when the debtor has any fixed income of which he can make any assignment. Practically, therefore, policies of life assurance are a very valuable kind of security. In order, however, to be certain of securing the benefit of such a security it is requisite that notice of the assignment should be given to the company with whom the policy is effected. This is necessary in consequence of the rule of law that a *chose in action* cannot be assigned. A policy of life assurance is nothing but a promise to pay money in a certain event, and that promise cannot be assigned *at law*. *In equity*, however, it may be assigned, and if the assignor does all in his power to make the transfer as complete as possible, such an assignment will confer a good title on the assignee as against all the world. Now notice to the company with whom the policy is effected is the most important part of an equitable assignment of this kind, as it converts the company into a trustee for the assignee of the policy; and if, after such notice, the company were to pay the amount of the policy to any other person, it would still remain liable to pay the assignee. If this notice is not given the title of the assignee may be questioned by a subsequent assignee, who has become such without any knowledge of the former assignment, and who has taken the precaution of giving notice to the company of the assignment to himself. There is also another danger to which an assignee who has not given notice is exposed. If his assignor becomes bankrupt, the policy is considered as still in the "order and disposition" of the bankrupt, within the meaning of section 125 of 12 & 13 Vict. c. 106, so as to pass to his assignees.

The *chose in action* still remains vested in the assignor notwithstanding the assignment, and something more must be done to take it out of his order and disposition. The notice to the company is held to have this effect, as it in fact deprives the assignor of the power of dealing with the beneficial interest in the policy, although the bare legal title remains in him. The case of *Green* v. *Ingham* shows the danger of omitting to give this kind of notice. The plaintiff was assignee in bankruptcy of one Verity, who had assigned a policy upon his life to the defendant for £100. Verity at the same time handed over the instrument to the defendant. No notice of this had been given to the company. The form of the action was trover for the instrument containing the policy. It was held that the plaintiff was entitled to recover, although the defendant had *bona fide* paid the £100 on condition of receiving the policy as his security.

The defendant endeavoured to show that he was entitled to retain the policy upon the authority of *Gibson* v. *Anerbury*, 7 M. & W. 555, where it was decided that if a policy of life insurance be deposited as a mere lien without any right being given to the *chose in action* represented by it, then the assignees in bankruptcy of the depositor cannot recover the instrument in trover, even although no notice of the deposit has been given to the company. It was clear, however, that in *Green* v. *Ingham* there had been an assignment, or an intended assignment, of the *chose in action* itself, and not a mere deposit, and therefore the case of *Gibson* v. *Anerbury* was not in point, and judgment was given against the defendant in consequence of his want of care in omitting to give notice of the assignment of the policy.

Austin v. *Great Western Railway Company*, 15 W. R. 863.

In this case the plaintiff was a child, four years of age, who was injured in an accident on the defendants' railway caused by the negligence of the defendants' servants. The plaintiff had been taken on the railway by his mother, who had paid her own fare but paid nothing for the plaintiff's fare. By 7 & 8 Vict. c. 85, s. 6, children above three years of age are liable to be charged half the fare of an adult. Under that age they are allowed to travel free when with other persons paying the ordinary fare. At the trial of the cause the jury found that the mother of the plaintiff was not guilty of any fraud, and they returned a verdict for the plaintiff, and the judge reserved leave to the defendants to move to enter the verdict for them, on the ground that as no fare had been paid for the carriage of the plaintiff the defendants were under no liability towards him to carry him safely, and, therefore, were not liable to make compensation for any injury caused to him by the negligence of their servants. The Court refused, however, to grant even a rule for the argument of the question. They held that as there was

no fraud by the mother there was a valid contract entered into by her with the defendants for the carriage of herself and her child, and that this contract gave rise to a duty to carry them safely, for the breach of which an action would lie at the suit of either of them who had been injured thereby. A more difficult question would have arisen if the jury had found that the mother had *fraudulently* evaded payment of the child's fare. In that case it would have been necessary for the Court to decide whether the plaintiff was so identified with the fraud of his mother as to be incapable of maintaining this action. It would, doubtless, at first sight, appear a hard case that an infant should lose all compensation for an injury caused by the negligence of the defendants' servants in consequence of the fraud of its mother, for which, of course, it could, from its very youth, be in no wise responsible.

To such a result, however, the authorities would seem to incline, and, indeed, apart from authority, there is much to be said in favour of a decision of this kind on principles already well recognised. *Austin* v. *Great Western Railway Company* does not, however, decide this question, and Blackburn, J., expressly said it was not necessary to consider that point.

Allen v. *Cuckney*, 15 W. R., C. P., 865.

This case is an authority on a point of practice which is worthy of a brief notice here. The defendant's goods were seized under a *fi. fa.* after he had duly executed and registered a valid deed under section 192 of the Bankruptcy Act, 1861. The Court held, on the argument of a rule granted to vary the order of a judge at chambers, that the usual practice in such cases was to order the sheriff to withdraw, and not to set aside the execution. Although this appears but a trivial point, it is yet one of those questions the knowledge of which often saves litigants from much expense; and moreover the result of this practice is important as regards the liability of the sheriff, for he is safe from an action as long as an execution, good on the face of it, is in existence to justify his acts. If that is set aside he may become liable to an action. If he is only ordered to withdraw he is safe.

Stubbs v. *The Holywell Railway Company*, 15 W. R., Ex., 869.

As a general rule the death of one of the parties to a contract does not determine the obligation between them, but the right or the liability, as the case may be, survives to the executors or administrators of the deceased. If A. contracts to pay B. a sum of money, and dies before he has done so, A.'s executors are liable to an action by B. for the amount, and in the same way if B. had died his executors would have been entitled to an action against A. There is a well-known exception to this rule, where the performance of the contract requires the exercise of personal skill or knowledge; for instance, if a builder contracts to build a house, and after it is half finished dies, his executors are liable to an action for breach of contract for the non-completion of the house unless they choose to complete it themselves; or if a bookseller undertakes to publish a work in parts, and before the completion dies, a subscriber has a claim upon his estate to complete the work, for otherwise those parts which he has purchased upon the faith of the work being completed are useless. If, however, an artist engages to paint a picture, and dies before it is finished, no action can be maintained against his executors, for it is an implied condition in such a contract that the artist shall live to complete his work. If he does not live, the condition is not fulfilled, and the contract falls to the ground.

An attempt was made by the defendants in *Stubbs* v. *The Holywell Railway Company* to extend this doctrine somewhat further than any reported cases have yet carried it. The plaintiff in this case was the administrator of one Stubbs, deceased, who had entered into a contract with the defendants to perform certain specified works for them, as engineer. The work was to be completed within fifteen months, and the deceased was to be paid a sum of £500 by five quarterly instalments of £100 each. The deceased entered on the contract, and duly performed his duties during the whole of three quarters, and during the fourth he died, having received only one instalment of £100. At the time of his death he had not completed three-fifths of the whole work. The action was brought to recover payment of the two instalments due for the second and third quarters respectively. There was no dispute that this contract was one for personal services, and therefore of such a nature that it was determined by the death of the engineer; but the defendants argued further that as the contract was at an end, they were not liable to pay *under the contract* the stipulated instalments, but were only under an obligation to pay as upon a *quantum meruit* for the amount of services actually rendered by the deceased, and they paid into court the value of what he had actually done during the three quarters, taking credit for the one payment of £100. The plaintiff contended that he was entitled to recover under the contract. He admitted that the contract no longer existed, but argued that the determination of the contract did not affect the right of action for the two instalments already vested in deceased, who the day before his death might have commenced an action for them. The Court all agreed that the plaintiff was entitled to recover under the contract, and was not compelled to sue upon a *quantum meruit*. Martin, B., explained the question forcibly and concisely, saying, "Really the law is very clear, though it has been much confused by talking of rescission and *quantum meruit*. If a man is employed to do a job the price is not to be paid unless he does it, even though he die. But if he is to be paid so much a month, he earns his money each month. If he failed or refused to do his work in such a case he could not recover, for he could not prove his readiness and willingness to perform his part of the contract. When a man dies in a case like this, the contract is at an end, for he must do his work in person; in other words, his living to do it is a condition of the continuance of the contract. But no right of action once vested is taken away." The difficulty felt in the case seems to have chiefly arisen from a want of clearness in the conception of the nature of this kind of determination of a contract; when that is once comprehended, there seems to be little doubt as to the result which must be arrived at in a case such as this.

COURTS.

COURT OF ARCHES.

(Before Sir ROBERT PHILLIMORE).

Sep. 5.—*Martin* v. *Mackonochie*.—His LORDSHIP sat specially to-day at the Arches Registry in reference to this case. It will be recollected that on the 27th ult. a discussion took place as to the constitution of the Court on the hearing in October. On the part of the defendant it was insisted that Sir Robert Phillimore should be one of the judges, and the promoter objected on the ground that he had been one of the counsel in the cause for Mr. Mackonochie. The following day, while sitting in the Admiralty Registry, the judge gave judgment, delegating his power to Dr. Travers Twiss, the Vicar-General of the Archbishop of Canterbury, and to Dr. Robertson, the Chancellor of the Diocese of Rochester. It was necessary that a court should be held for the formal delivery of the judgment, and the proctors now attended with Mr. Registrar Shephard.

His LORDSHIP said, in pronouncing the formal judgment, it was not necessary to go over this matter. He refused the prayer of the defendant, and should appoint the Vicar-General and the Chancellor of Rochester to hear the case.

The Court ordered the commission to issue to Dr. Twiss

and Dr. Robertson. Pending any further proceedings, the case stands for hearing on the 29th October.

JUDGES' CHAMBERS.

Chief Justice Bovill sat at chambers on Tuesday for the first time since his appointment, and heard summonses and applications as the "long vacation" judge. His Lordship sat again yesterday, and will continue the sittings on Tuesdays and Fridays during the long vacation.

CHANCERY CHAMBERS.

(Before Mr. EDWARDS, Chief Clerk.)

Yesterday upwards of 100 applications in regard to chancery suits and public companies came before Mr. Edwards. On and after Friday the 20th Mr. Buckley will take Mr. Edwards's place.

GENERAL CORRESPONDENCE.

Sir,—Now that the South-Eastern Company have actually made and enforced a bye-law against unlocking a carriage door, it may be hoped that a question will be raised as to the authority of the railway companies to lock persons into carriages at all.

Primâ facie it is clear that it would be false imprisonment to lock any person into a carriage against his will, and I have yet to learn that any railway Act has authorised the practice. Bye-laws, of course, are not valid if *ultra vires*.

In the case at the Mansion-house the defendant had unlocked a carriage for the purpose of getting *into* it, which is a very different thing from unlocking a carriage for the purpose of getting *out* of it. CONVEYANCER.

OUR INVADERS.

Sir,—We have lately made a great struggle which we are about to renew for avoiding in the shape of Certificate Duty an expenditure of two or three pounds a-year; at the same time we have supinely allowed to grow up and get established a system of encroachment on our business that has affected our income to an extent to which the tax in question bears no proportion.

In a city and commercial practice the loss the profession has sustained is probably as much as twenty per cent. of the gross earnings. Imagine the thousands of pounds abstracted from us by unqualified persons, many of whom are broken down tradesmen, uneducated, untalented, and none of them requiring the education, the apprenticeship, the ability, or the status in society required for solicitors, or paying the duties and taxes to which we are subject, almost wholly irresponsible and exempt from the surveillance of the courts imposed upon us. What is it we complain of? It is this—Accountants and similar persons calling and attending meetings of creditors, negotiating with creditors, in many cases preparing the composition and similar deeds, paying compositions, preparing leases, partnership deeds, wills, agreements, &c., &c., and transacting a variety of other professional business. The debt collectors form another large class of poachers on our territory.

The system is getting so far established as to enable our invaders to refer to precedent. One says, "the usual course," is for the accountant to communicate with the creditors, pay the compositions, &c., and for the solicitor to prepare the deed—but his doing even so much is regarded almost as a concession. It seems to me very like a snap thrown at a dog to keep him quiet. The solicitor has to take his instructions from the accountant. In fact he ranks under him in the class of business I refer to, and our profession is dragged in the dirt.

Nothing is more common than for agents of various sorts to call upon us, to perform the business of solicitors, not uncommonly with bundles of papers in regular professional style. They speak of their clients, of advice they have given them, and in their communications generally assume the tone of qualified practitioners, and in many cases impose upon the profession as such.

How has the system (which is not twenty years old yet) become established? Firstly, from a notion on the part of the public that accountants charges are less than those of solicitors; secondly, from a want of unity and co-operation amongst the profession; and a third reason may be that the old established and influential solicitors can afford to disregard the modern invasion, and don't care about troubling themselves for the other less fortunate class. I consider a time has come for a reaction, and a return to our old rights. It is abundantly proved that there is no economy in the new system, the charges in most cases, in fact, being enormously in excess of those made by the profession. They are further exempt from liability to taxation, and seem, indeed, to be subject to no scale or principle. This month a case has come under my notice where the compounding debtor has had to pay several creditors in full from the accountant being unaware of the necessity of legally tendering the composition to them. Such is one of the many instances of the effect of legal business being performed by unqualified persons. Let there be a meeting of those inclined to move in this matter to consider and determine on the necessary measures for abating the evil. I enclose my card, and shall be happy to co-operate in any way that may be useful.

A SOLICITOR OF THIRTY YEARS STANDING.

Sir,—Advertising in any form is so opposed to the canons of good professional taste that I feel no scruple in forwarding to you, for publication, the accompanying circular received by me from Mr. H. G. Kelly, a solicitor, of Dublin.

Your readers will probably appreciate at its due value the personal acquaintance which Mr. Kelly claims with "the judges on the Irish bench." The good taste of the allusion may possibly be doubted. LONDON ATTORNEY.

"Dublin Chambers, 39, Lower Ormond Quay.

"I take the earliest opportunity of informing you that I have made arrangements for transacting, upon a participation of profits, such legal business *in Ireland* as may be entrusted to me by members of the legal profession in England.

"Having carried on business in my present offices, as above, for upwards of *twenty years*, and enjoyed a considerable practice in Ireland during that period, *and being personally well known to many of the judges on the Irish Bench*, and the most eminent members of the Irish bar, I need scarcely say that I can furnish unexceptionable references as to my experience and capacity.

"I remain, yours very faithfully,

"HENRY GREENE KELLY.

"N.B.—First-class English references furnished when required.

"Business transacted in any part of Ireland at the same scale of charges."

APPOINTMENTS.

We understand that Mr. ROBERT BERRY, advocate, has received the appointment of Professor of Roman and Scotch law in the University of Glasgow. Mr. Berry was a distinguished pupil at the Edinburgh Academy, and carried off high honours at the University of Glasgow, which he attended during the usual curriculum. He then went to Trinity College, Cambridge, where he took the degree of B.A. with double first-class honours, and obtained the Wrangham Medal. He was elected a Fellow of Trinity in 1850. He afterwards studied law and joined the English bar, and was for several years one of the reporters in the Court of Queen's Bench for the *Weekly Reporter*. Owing to his intimate acquaintance with the respective systems of the English and Scotch Universities, he was in 1858 selected by the Scottish University Commissioners to act as their secretary, an office which he filled for some years. While resident in Edinburgh he studied Scotch law and joined the Scotch bar, and he became one of the reporters. He was afterwards selected as secretary to the commission to report on the Law of Hypothec in Scotland.

MR. JOHN HILL BURTON, LL.D., advocate, has received the appointment of Historiographer to the Queen for Scotland.

PROVINCES.

LIVERPOOL.

THE NEW CORONER.

On Saturday last, Mr. Clarke Aspinall commenced his duties as coroner of the borough of Liverpool, to which post he has just been unanimously appointed in the place of the late Mr. P. F. Curry, who had occupied the position for

more than a quarter of a century. A large number of legal and medical gentlemen and Town Councillors assembled in the Coroner's Court on Saturday, when Mr. Bateson, president of the Liverpool Law Society, offered the congratulations of that body to Mr. Aspinall, and expressed himself well pleased that the appointment of coroner had fallen to one of their order. Mr. Weir Anderson, who had been nominated for the post by his friends, but had retired that Mr. Aspinall might be unanimously elected, also offered his congratulations. The new coroner, in returning his acknowledgments, expressed himself fully sensible of the responsibility of his position, and signified his intention of performing his duties with a regard to the convenience of the public and the feelings of persons who were called upon to attend inquests. His own personal convenience should not stand in the way of that of the attorneys and barristers of Liverpool, and he should never allow anything whatever, not even the convenience of professional men, to incommode citizens called upon to serve on juries. Mr. Aspinall paid a warm tribute to the worth of the late Mr. Curry, and thanked his professional brethren for the demonstration they had that day made.

IRELAND.

The Right Hon. Francis Blackburne.

We learn that the illness of the Right Hon. F. Blackburne has assumed a more dangerous character, and that no hope is entertained of his recovery.

FOREIGN TRIBUNALS & JURISPRUDENCE.

FRANCE.

The Abolition of Imprisonment for Debt in France.

The following figures are taken from the *Comptes rendus de la Justice Civile et Commerciale*, published by the French Minister of Justice:—

Year.	No. of Failures.	Total No. of Persons imprisoned for debt.	No. of Persons imprisoned for trading debts only.
1865	4,839	1,482	1,102
1864	4,642	1,676	1,195
1863	4,450	1,682	1,263
1862	5,390	1,794	1,391
1861	4,862	1,701	1,364
1860	4,041	1,947	1,484
1859	3,899	2,081	1,674
1858	4,330	2,131	1,766
1857	3,983	1,975	1,636
1856	3,717	1,981	1,655

From this table it is clear that resort to imprisonment has become less frequent, while the number of failures has increased. In 1856 the failures amounted to about 131 millions of francs, and in 1865 to very nearly 199 millions. It results, therefore, from a comparison of the figures, that creditors are getting to appreciate more and more the inefficacy of imprisonment. Consulting the statistics further, we find that during the last five years the annual average of trading debts which have led to imprisonment has only been 3,467,728 fr., of which 437,373 fr. were paid. What are these sums compared with the amount of business done, which reaches many thousands of millions, or even with the debts which remain unpaid in the course of a year? These debts on sufferance amount to 400 or 500 millions at least, and we do not reckon the small debts contracted by consumers for their retail purchases: we are only speaking of trading debts.

The new law was violently opposed in the Corps Législatif, and gave occasion to a phenomenon rare in the parliamentary annals of France; for the Government was frequently supported by the Opposition, and opposed by its habitual supporters. Nevertheless the law passed. In the Senate it met with fresh difficulties. The report of the committee decided, it is true, in favour of the law, but it dwelt rather upon those arguments against than for it. Some eminent magistrates spoke against it with an energy which must have astonished the echoes of the Senate House. At last the measure was passed by 53 votes to 46—a thing unheard of in an assembly which is habitually unanimous, M. Troplong did not vote; but we have already stated the opinion he has given in his writings. Now that the measure has become law, some of its opponents have made up their minds to find it liberal and reasonable; and it is not probable that any mischievous results will follow from it. Commercial honesty is protected by the experience of reward rather than by the fear of punishment.—*The Chronicle.*

The Liberty of the Subject.

An important case bearing on the liberty of the subject has just been tried before the Correctional Tribunal of Paris. On the 5th of June last, as the Emperor of the French and the Czar were driving to the opera, along the Boulevards, shouts of *Vive la Pologne* were raised by a portion of the crowd. A cloud of policemen, in uniform and in plain clothes, immediately rushed to the spot, and arrested several persons. They were subjected to a protracted period of preventive imprisonment, but were ultimately released, the *juge d'instruction* having come to the conclusion that the cry of *Vive la Pologne* was not seditious. Among the persons thus arrested was a M. Tarent, a respectable lithographer, who was looking on. He uttered no shout, but as he was in the neighbourhood of the noisy group he was mistaken for one of them. An inspector of police in plain clothes rushed at and collared him, draged him off to the police station, and there knocked him down, ejaculating, "You are a scoundrel." These facts are stated in the report of the *juge d'instruction*, who dismissed the charge against M. Tarent; it is also satisfactorily established that he offered no resistance when arrested, though from the fact of the policeman being out of uniform he would have been justified in doing so. M. Tarent thought that to be arrested, knocked down, insulted, and preventively imprisoned for having committed no earthly offence required redress; he, therefore, prosecuted the inspector of police for illegal arrest, blows, and insults, all of which offences are duly provided for by Articles 343 and 311 of the penal code. The facts related above were fully admitted, but the public prosecutor took up the defence of the inspector of police, and laid down that under Article 75 of the Constitution of the Year VIII. (1800) the defendant was a public functionary and that he could not be prosecuted without the authorisation of the Council of State having been previously obtained. The Court adopted this view, and in an elaborate judgment set forth that this mere policeman was a representative of the goverment, and enjoyed, as such, an immunity which the Council of State alone could remove, consequently it declined to entertain the complaint, and dismissed the case with costs.

SOCIETIES AND INSTITUTIONS.

ARTICLED CLERKS' SOCIETY.

Codification—No. I.

A lecture delivered before the Articled Clerks' Society, by E. Charles, Esq., LL.B., of Lincoln's-inn, Barrister-at-Law, some time lecturer on Equity at the Incorporated Law Society.

"The most celebrated system of jurisprudence known to the world," says Mr. Maine in his work on Ancient Law, "begins, as it ends, with a code." It is unnecessary to say to this audience that Mr. Maine was *not* referring to the English Law, although we have before us the grandest material for the formation of a code possessed by any nation on the face of the earth—a series of judicial decisions which, whether we look on the side of the Common Law, in the matter of the interpretation of contracts, or, adopting a wider view, on the vast field of Equity Jurisprudence, from their breadth of tone and expansive character, ever yielding to the enlightened demands of the time, furnish a groundwork upon which a zealous codifier might be enchanted to work. Our law remains to this day the same

"Myriad code of precedent,"

the same

"Wilderness of single instances,"

which it was in the time of Lord Bacon. As a nation we have done scarcely anything towards collecting and systematizing the law, and making it intelligible to the people. Enter any good law library and look around, and then

say whether the maxim that every one must be presumed to know the law,

"Ignorantia legis neminem excusat,"

is not the most cruel sarcasm.

To say nothing of the statute law, which is comprised in thousands of Acts of Parliament, but referring only to judicial decisions, it has been stated that the number of volumes of reports now existing and capable of being cited as authority is about 1,150, and that this number is increasing at the rate of twenty-five or thirty volumes a-year. The number of pages of the reports issued during the year is upwards of 10,000.

To reduce this mass of material into order, to bring out its germ, and restate it within the compass of a volume not larger than the Code Napoleon, seems to be an undertaking of the most serious magnitude. I believe, however, that it will be taken up, and I think we may see the time approaching very nearly when it will be most opportune to set such an undertaking in operation. The time is coming when, the question of Reform being removed from the arena of political warfare, we shall be able to settle down and consider further extensive schemes of home improvement. Such a time is essentially the time for attempting a codification of the law. This is the case, I think, for two reasons; first, if a reform of this magnitude be attempted under the pressure of a great political excitement, there is the greatest possible danger of the work being hastily performed; and, second, during the progress of political tumult there is a strong temptation to introduce, without due consideration, by way of amendment, into the law the political views which have, for the time, a mastery over the nation. Legislation of any sort passed in a passion always contains the elements of its own destruction. It is not the part of the codifier, for example, to settle off-hand a question like the abolition of the custom of primogeniture; and yet if the scheme were the production of a time of popular agitation he might be tempted to deal with it.

The Roman and the French Codes are both specimens of the first of these evils, and the latter furnishes also an illustration of the second.

The Code and Pandects of Justinian have been justly attacked for the unscientific arrangements which arose to some extent from the haste with which they were prepared. The commissioners who, with Tribonian, were appointed to complete them, completed in three years what it was expected would have occupied them ten years at the least. The manner in which they discharged their duty is thus described by Mr. Austin:—

"Let us imagine that the rules or principles which constitute the equity of the chancellors stood in the order of the times at which they were respectively introduced; that the laws created by Acts of Parliament were digested in that order; that excerpts from the decisions of our various tribunals (and the writings of our authoritative lawyers) were digested in the same order; and that these two digests of our statute and judiciary law were passed and promulged by an Act of Parliament as the law to obtain thereafter in England or the United Kingdom. The imagined digest of our *statute* law would answer *nearly* to Justinian's Code. [I say 'nearly,' for many of the imperial constitutions of which that class is composed are not edictal or general constitutions (or statutes promulged by the emperors in their legislative capacity), but are decrees issued by the emperors as judges in the last resort.]

"The imagined digest of our *judiciary* law would correspond to Justinian's Pandects, but with this difference that the pandects consist of excerpts from the writings of authoritative lawyers, whilst the imagined digest in question would principally consist of excerpts from the judicial decisions of our tribunals."

The defect in the Roman Code was the absence of scientific definition and arrangement, and this is a natural consequence of the haste with which it was prepared.

Similar disadvantages attended the formation of the French Code. It sprang from the political necessity of the hour to supply the place of the feudal and other laws which had been abolished in the heat of revolution. Napoleon, by whose name the code is called, was determined to identify himself and his administration of the affairs of France with this reform. He, therefore, soon after he was made First Consul, issued a commission to three commissioners, of whom M. Portales (whose name is familiar to the student of codification) was one, directing them to hold conferences on the subject of a civil code, to compare the projects already published, and determine the plan which should appear most suitable. The commissioners, under Napoleon's pressure, went to work with zest, and "by dint of exertion," says one of their number, "we were enabled to frame a civil code in four months." They had the abandoned projects of others in the same direction, as well as the works of Justinian's reign, to assist them, but still the great speed with which the code had been settled rendered it very imperfect as a code. "It contains," says Mr. Austin, "no definitions of technical terms—no exposition of the rationale of distinctions—no exposition of the broad principles and rules to which the narrower provisions expressed in the code are subordinate."

It follows that the time for framing a national code should be a time of domestic peace, and that ample time should be allowed for the work. The actual number of codifiers need, however, not be great. The fewer the number, the greater the sense of responsibility. Seventeen hands were employed upon the Roman Codes. The modern German Code of Negotiable Paper was prepared by thirty delegates. The Indian Law Commission is entrusted to six commissioners and two secretaries; while upon the recent Transatlantic Codes of Canada and New York no larger number of codifiers were employed (three in number) than were commissioned by Napoleon to prepare the French Code.

I shall have occasion to refer to some of the codes just mentioned again as I proceed; but, before going further, I think it is desirable that we should from a clear idea as to what is involved under the term *codification*.

A "code" in its natural sense means nothing more than a collection of writings. When applied to law it has, however, acquired a more technical signification. This meaning will appear upon an examination of the distinction which has been made between a *code* of law and a *digest* of law. It is the more necessary to examine this distinction in order to apprehend the position of the two distinct classes of law reformers at the present day who desire to see the law reduced to a more compact form, viz., the advocates of a *code* and the advocates of a *digest*. This distinction has been thus put by an advocate of the formation of a digest (Mr. Reilly):

"A code is the work of the legislative authority; its letter is everything. The French Codes are instances. A digest is not, or need not be, more than a systematic classification of law. Comyn's Digest and Bacon's Abridgment are mentioned by Sir James Wilde as works of this kind. A code makes the law; a digest merely states it. In the process of codification the law is inevitably altered in some parts, and may be altered to any extent that seems expedient. A digest proper does not, as such, *necessarily* alter a jot or tittle of the law."

I do not think that these definitions of terms can be entirely relied on. I have no fault to find with the statement that a code makes the law, or that it *may* alter the existing law. But I wholly object to Mr. Reilly's definition of a digest. A digest (properly so called) does not pretend to be a systematic classification of *law*. It is nothing more than a collection of the results of particular decisions. It not only does not *necessarily* alter a jot or tittle of the law, it *cannot* alter it; it can do nothing more than state the decisions *as they are*.

Take, for example, Comyn's Digest, which is referred to as a specimen of a digest. I will read an extract.

Under the head of Chancery Div. XX.

"Jurisdiction of Courts of Equity to order written instruments to be delivered up."

"II. Instruments obtained through undue influence.

"1. Securities set aside, being unconscionable and oppressive, and obtained by taking advantage of the party's poverty and distress. *Lamplugh* v. *Lamplugh*, Dick. 411.

"2. Deed set aside, as obtained by fraud and undue influence by a keeper of an house for lunatics from a person under his care; as within the general principle arising from the relation of guardian and ward, attorney and client, &c. *Wright* v. *Proud*, 13 Ves. 136.

"3. Voluntary settlement by a widow upon a clergyman and his family set aside, as obtained by undue influence and abused confidence in the defendant as an agent undertaking the management of her affairs; upon the principle of public policy, and especially applicable to the relation of guardian and ward, &c. *Huguenin* v. *Baseley*, 14 Ves. 273."

It will be seen that this does not pretend to be a *classification of law*. It simply consists in a statement of the name of a particular judicial decision or authoritative expression of the opinion of an eminent judicial authority, and

it refers, by way of confirmation, to the source from which the statement is drawn. A digest does not pretend to give definitions, which is an essential feature in a code. It makes no attempt at the *re-expression* of the existing law; it simply states the result of judicial decisions or professional opinion upon the particular matter under consideration.

On the other hand, it is essential to a code that it should define the law in a systematic manner. Mr. Austin speaks of a code as "the re-expression of the existing law." It *must*, at least, amount to this, but I think it may and should include much more. It is clear, however, that *definition* is essential to it. As the letter addressed, 14th October, 1837 (with which they submitted the draft of their penal code), by the Indian Law Commissioners to the Governor in Council says, "Definitions must be found in every system of law which aims at accuracy. A legislator may, if he thinks fit, avoid such definitions, and, by avoiding them, he will give a smoother and more attractive appearance to his workmanship; but in that case he flinches from a duty which he ought to perform, and which somebody must perform. If this necessary but most disagreeable work be not performed by the lawgiver once for all, it must be constantly performed in a rude and imperfect manner by every judge in the empire. We have thought it right not to shrink from the task of framing these unpleasing but indispensable parts of a code."

PUBLIC COMPANIES.

ENGLISH FUNDS AND RAILWAY STOCK.

LAST QUOTATION, Sept' 5, 1867.

[From the Official List of the actual business transacted.]

GOVERNMENT FUNDS.

3 per Cent. Consols, 94⅞	Annuities, April, '85
Ditto for Account, Oct. 8, 95	Do. (Red Sea T.) Aug. 1908
3 per Cent. Reduced, 93½	Ex Bills, £1000, 4 per Ct. 30 pm
New 3 per Cent., 93½	Ditto, £500, Do pm
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, — pm
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 5½ per Ct. (last half-year) 259
Do. 5 per Cent., Jan. '73	Ditto for Account,
Annuities, Jan. '80 —	

INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 222	Ind. Enf. Pr., 5 p C., Jan. '72, 104½
Ditto for Account	Ditto, 5½ per Cent., May, '79, 109½
Ditto 5 per Cent., July, '80 113	Ditto Debentures, per Cent., April, '64 —
Ditto for Account, —	Do. Do., 5 per Cent., Aug. '73
Ditto 4 per Cent., Oct. '88, 99¼	Do. Bonds, 5 per Ct., £1000, pm '70
Ditto, ditto, Certificates, —	Ditto, ditto, under £1000, pm. '70
Ditto Enfaced Ppr., 4 per Cent. 87⅝	

RAILWAY STOCK.

Shares.	Railways.	Paid.	Closing Prices.
Stock	Bristol and Exeter	100	81 x d
Stock	Caledonian	100	109
Stock	Glasgow and South-Western	100	111
Stock	Great Eastern Ordinary Stock	100	30⅜
Stock	Do., East Anglian Stock, No. 2	100	6
Stock	Great Northern	100	114 x d
Stock	Do., A Stock*	100	118 x d
Stock	Great Southern and Western of Ireland	100	97
Stock	Great Western—Original	100	48
Stock	Do., West Midland—Oxford	100	27
Stock	Do., do.—Newport	100	32
Stock	Lancashire and Yorkshire	100	128
Stock	London, Brighton, and South Coast	100	51½
Stock	London, Chatham, and Dover	100	18½
Stock	London and North-Western	100	114½ x d
Stock	London and South-Western	100	84 x d
Stock	Manchester, Sheffield, and Lincoln	100	48
Stock	Metropolitan	100	125
Stock	Midland	100	119½ x d
Stock	Do., Birmingham and Derby	100	89 x d
Stock	North British	100	31½
Stock	North London	100	115 x d
10	Do., 1866	5	6½ x d
Stock	North Staffordshire	100	65
Stock	South Devon	100	44 x d
Stock	South-Eastern	100	69¼ x d
Stock	Taff Vale	100	148 x d
10	Do., C	—	3 pm x d

* A receives no dividend until 6 per cent. has been paid to B.

MONEY MARKET AND CITY INTELLIGENCE.

Thursday Night.

Last week closed with a decline in all securities. The present week opened better, the tone of the foreign intelligence being reassuring, and the foreign markets steadier. This improvement has been in the main sustained during the week, but to-day Consols have experienced a slight decline. The uncertainty as to the Abyssinian expedition operates most unfavourably.

Railway Stock is better than during last week, and there are perceptible indications of a revival of business in this class of securities. But business in every branch continues in an exceptionably stagnant condition.

The arrivals of gold have been unusually heavy during the week. The rate of discount remains unchanged, and the demand for accommodation is still very slack.

THE RECENT EXTRAORDINALY WILL CASE.—The proceedings in the Court of Probate in the matter of *Smith and Others* v. *Tebbitt and Others* have by no means come to a settlement. It will be remembered that the case lasted ten days at the hearing in April and May last, and that on the 6th ult. Sir James Wilde gave a most elaborate judgment in favour of the defendants, and refusing probate of the will propounded by Dr. Smith. Against that decision the plaintiffs have now resolved to appeal to the House of Lords, and that of course throws the whole matter over till after Easter of next year.

MEDICAL AGENTS FOR RAILWAY COMPANIES.—An action was tried at Bristol on Monday last, before Mr. Justice Keating, in which was brought forward another instance of the very objectionable practice of medical men acting as assessors of damages on the part of railway companies, in cases of accident. The plaintiff, a Mrs. Hand, brought an action against the Midland Railway Company. The accident occurred in 1864; and subsequently she received a visit from Mr. Day, the surgeon to the company, who represented to her—no doubt in good faith—that she would soon perfectly recover, and induced her to accept the sum of £211 as compensation on the part of the Company. In 1866 she married, and afterwards became much worse. An action was brought during the present year to recover sufficient compensation; and a verdict was returned for £300 damages, in addition to the sum already paid. We regret to see that Mr. Day, through his conduct, laid himself open to some very harsh, and we must think unjustifiable imputations, on the part of the counsel for the plaintiff. Still, if medical men will deliberately place themselves in such a position, they can only expect that the licence of counsel will be allowed to run unbridled on them. Mr. Justice Keating spoke a wholesome truth when he said, in summing up the case, "that, as a general rule, it was most objectionable that medical men should be engaged in making compromises. If such a compromise were to be made, it was better it should be in the hands of the professional legal advisers than in those of medical men." We can only repeat what we have already said again and again, that a medical man goes altogether beyond his duty when he undertakes to act as assessor of damages on the part of a public company, of which he may be the professional adviser.—*British Medical Journal.*

PATENTS.—The Lord Chancellor, the Master of the Rolls, and the late and present Attorney-General (the latter then Solicitor-General), as commissioners of patents, report that 2,124 patents were passed in the year 1866. The amount received in the year for stamp duties, the fees being now paid by means of stamps, was £114,461, which was more than double the expenditure of the department, though this must have been upon a liberal scale if we may judge from the first item, £9,428, paid in fees to the Attorney-General and the Solicitor-General, and £856 to their clerks. The receipts included £31,400 for continuing old patents beyond the first three years of their term of 14 years, and £21,900 for continuing old patents beyond the first seven years of their term. The fee of £50 for continuing a patent beyond its third year is paid on about 30 per cent. of the patents issued, and the other 70 per cent. become void at the end of three years. The further sum of £100 payable at the end of the seventh year is paid on about 10 per cent. of the patents issued, so that 90 per cent. are allowed to become void at the end of the seventh year. The commissioners continue their work of publishing abstracts or abridgments of all specifications from the earliest enrolled to the present time; they are issued in classes and chronologically arranged, sold at the mere cost of printing and paper, and presented to the authorities of every important town in the kingdom on condition that they shall be accessible to the public daily, free of all charge. The new classes in course of preparation relate to fuel, steam engines, railways, railway signals, hydraulics, ventilation, rolling stock, raising, &c., heavy bodys, acids and alkalies, agriculture, optical, &c., instruments, roads, stone and cement, writing instruments and materials, saddlery, and bridges. After the present year all patentees will be required to deliver with the specification an abridgment of it, and these abridgments will be published in quarterly volumes after the expiration of the six months' protection. The commissioners reprint extracts from former reports on the need of a proper building for offices and public museum and library, and state that the present building is now filled, and there is a continual increase of specifications and scientific works, for which provision must be made. The large amount of surplus of fees received over expenditure provides a fund from which the cost of a proper building might be defrayed.

FACTS ABOUT CRIME.—Some interesting facts and figures about crime in England and Wales have just been published in the thick blue-book of judicial statistics for 1866. Compared with the previous year the serious offences show a gratifying decrease;

while, probably on account of more frequent application of summary jurisdiction, the minor offences disposed of by magistrates show an increase. We learn that we have 23,728 policemen, who cost us £1,827,105—being 478 constables and £78,647 more than the year before. The criminal classes "at large" are set down at 113,566, but of these 33,191 are of the tramp and vagrant fraternity. Those not at large are 16,708 in local prisons, 7,018 in convict establishments, and 3,635 in reformatories. In England and Wales there are 20,204 houses of bad character. During the year there were 50,549 indictable offences, in respect of which 27,190 persons were apprehended and committed. The murders number 131, being four less than the total of 1865. The attempts to murder were 45, and there were 679 cases of shooting, stabbing, &c., 272 cases of manslaughter, eight of attempts to procure miscarriage, 211 of concealment of birth, 155 of unnatural offences, 257 of rape, 322 assaults with intent, &c., 272 assaults on "peace officers." There were 481,770 persons proceeded against summarily, and of these more than one-fourth were discharged.

EASY DIVORCE.—The "easy divorce" business is being brought every day nearer and nearer perfection in the West. In Cincinnati, the other day, a man got a divorce without his wife's knowledge, upon a simple statement in his petition that she represented herself to be 32 years of age at the time of her marriage, when she was in reality over 40, and that she was "a common scold." No papers were ever served upon her, and the necessary legal notice was published in a "Price Current," or other paper of that class which no woman ever sees. Her character, too, was faultless, and she had a child 14 months old, and the sole apparent motive of the husband was a desire to marry another woman. In this case the attorney, in person, supplied whatever proof was needed to make out the case, and appears to belong to a class of "divorce lawyers" who absolutely live by perjury and fraud. We have not as yet begun to see the effect on society of our present divorce laws, or of the moral condition of the legal profession in some of our large cities; but if something be not speedily done by way of reform, the next generation will both see them and feel them. It may not be expedient to make men live with women they do not like, but no society can with impunity suffer men to change their wives as often as they please, and leave their children unprovided for in the arms of those whom they abandon. Any community which, by its legislation, offers scoundrels facilities of this kind for their scoundrelism, deserves to suffer, and all friends of pure manners have the consolation of knowing that it will suffer. No good breed of men or women ever yet grew up in a country in which marriage was lightly dissolved. Men who shine in either war or peace have to be produced in homes, and homes rapidly disappear in regions where husbands can get rid of their wives by paying fifty dollars to a knavish attorney. First the scamps do it, and then the honest men, being used to seeing it done by the scamps, lose their horror of it, and laugh over it, and finally they do it themselves, and the public ceases to look on it as a wrong, and then the children grow up to regard marriage as a simple mode of gratifying a temporary passion, and their mothers as simply the instruments of their physical procreation, or—to speak plainly—their dams.—*New York Nation.*

ESTATE EXCHANGE REPORT.

AT THE MART.

Aug. 28.—By Messrs. EDWIN FOX & BOUSFIELD.

Freehold messuage and shop, No. 88, Farringdon-street, City, let on lease at £80 18s. per annum—Sold for £1,610.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

LAMBERT—On Sept. 2, at No. 38, Sandringham-road, Hackney, the wife of T. H. Lambert, Esq., Solicitor, of a son.

MYATT—On Sept. 2, at Muswell-hill, the wife of William Myatt, Esq., Solicitor, of Muswell-hill, and Basinghall-street, London, of a daughter.

NALDER—On Sept. 1, the wife of Fielding Nalder, Esq., of Lincoln's-inn, of a daughter.

ROBERTS—On Aug. 29, at 12, Warwick-crescent, Upper Westbourne-terrace, the wife of E. Russell Roberts, Esq., Barrister-at-Law, of a daughter.

ROWCLIFF—On Sept. 2, at 20, Sussex-place, Regent's-park, the wife of William Rowcliffe, Esq., of a son.

TATTERSHALL—On Aug. 29, at East Barnet, Herts, the wife of Edward George Tattershall, Esq., Solicitor, of Great James-street, Bedford-row, of a daughter.

MARRIAGES.

BOWEN—HUNTSMAN—On Sept. 3, at Lowersall Church, James William Bowen, Esq., Barrister-at-Law, of the Middle Tempie, to Jane Eliza, daughter of Francis Huntsman, Esq., of Lowershall Hall, Doncaster.

LONGDEN—GAINE—On Aug. 29, at St. Stephen's, Avenue-road, Regent's-park, George Roger Longden, Esq., of Doctor's-commons, to Caroline Francis, daughter of the late John Edward Gaine, Esq., of Bridgnorth, Salop.

POOLE—VIDAL—On Aug. 29, at Abbotsham Church, Devon, Arthur Ruscombe Poole, Esq., Barrister-at-Law, of the Inner Temple, son of Gabriel S. Poole, Esq., of Brent Knoll, Somerset, to Margaret Sealy, daughter of Edward Urch Vidal, Esq., of Cornborough, Devon.

TAYNTON—TOOLEY—On Aug. 29, at St. Mark's Church, Gloucester, Thomas Taynton, Esq., Solicitor, of Ashmeade-house, Gloucester, to Catherine, daughter of the late George Tooley, of Westgate-street, Gloucester.

DEATHS.

BORE—On Sept. 3, at Buntingford, John Pearson Bore, Esq., Solicitor aged 67.

HILL—On Sept. 1, at his residence, 5, Ventnor-terrace, Cliftonville, Brighton, aged 66, Henry Hill, Esq., of the firm of Williamson, Hill, & Co., 10, Great James-street, Bedford-row.

SEARLE—On Sept. 4, at East-street, Brighton, Hannah, relict of the late Joseph Searle, Esq., Solicitor, aged 74.

YOUNG—On Aug. 29, at his residence, No. 14, Delamere-terrace, Upper Westbourne-terrace, aged 51, Robert Young, Esq., Solicitor, late of Battle, Sussex, son of the late Robert Young, Esq., of Tewkesbury, Gloucestershire.

LONDON GAZETTES.

Friendly Societies Dissolved.

FRIDAY, Aug. 30, 1867.

Loyal Friendly Benefit Society, 45, King-st, Carmarthen. Aug 24.

Roydon Friendly Society, Horse Shoe-inn, Roydon, Norfolk. Aug 24.

Good Intent, White Swan Tavern, Salisbury-ct, Fleet-st. Aug 21.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Aug. 30, 1867.

Gross, Fredk Augustus, Sutherland-st, Pimlico, Gent. Sept 2. Smith v Gross, V. C. Malins.

James, Robt, Silchester-villas, Notting-hill, Gent. Sept 21. James v Northmore, V. C. Wood.

TUESDAY, Sept. 3, 1867.

Robertson, Harry, Bath-pl, Kensington, Gent. Oct 1. Milcham v Pearce, M.R.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Aug. 30, 1867.

Brown, Rev Jas Mellor, Isham, Northampton, Clerk. Sept 30. Newton & Co, York.

Carrick, Thos, Stanhope, Durham, Jeweller. Oct 1. Thompson, Stanhope.

Dawkins, Emma, Over Norton, Oxford, Widow. Sept 30. Dayman & Walsh, Oxford.

Dawkins, Hy, Over-Norton, Oxford, Colonel. Sept 30. Dayman & Walsh, Oxford.

Dawson, Joanna, Sunderland, Durham, Widow. Oct 10. Moore, Sunderland.

Dighton, Christopher, Northallerton, York, Surgeon. Sept 25. Waistell, Northallerton.

Harris, Judith, Adelaide-rd, Haverstock-hill, Widow. Oct 30. Makinson & Carpenter, Elm-ct, Temple.

Jackson, Saml Brown, Essex-st, Strand, Solicitor. Oct 1. Smith & Guscotte, Essex-st, Strand.

Kell, Robt, Gloucester-rd, Regent's-park, Esq. Oct 30. Webster, Serjeants'-inn, Fleet-st.

Oldham, John, Southam, Warwick, Watchmaker. Sept 29. Walker, Southam.

Roe, Annie, Macclesfield, Chester, Widow. Oct 1. Brocklehurst & Wright, Macclesfield.

Rowland, Edwd Matthews, Homestay, Montgomery, Gent. Nov 1. Woosnam, Newtown.

Serjeant, Jas, Hatch, Bedford, Farmer. Oct 8. Biggleswade, Chapman.

Shilcock, Sarah, Melton Mowbray, Leicester, Widow. Sept 14. Latham & Paddison, Melton Mowbray.

Silver, Hannah, De Crespigny-pk, Camberwell, Widow. Oct 31. Depree & Austen, Lawrence-lane, Cheapside.

Thompson, John, Kidderminster, Worcester, Gent. Sept 29. Talbot, Kidderminster.

Wyatt, Jas Louis Marie, Grove-villas, Camberwell, Gent. Oct 31. Depree & Austen, Lawrence-lane, Cheapside.

Wych, Mary Ann, Macclesfield, Chester, Spinster. Oct 1. Brocklehurst & Wright, Macclesfield.

TUESDAY, Sept. 3, 1867.

Coles, Josias Rogers John, Ditcham, Hants, Lieut.-Col. Nov 1. Clowes & Hickley, King's Bench-walk, Temple.

Filmer, Thos, St Andrew, Canterbury. Nov. 26.

Harrison, Chas Francis, Weybridge, Surrey, Market Gardener. Oct 7. Grazebrook & Paine, Chertsey.

Hutton, Sarah Ann, Dalby-ter, Islington, Widow. Sept 30. Lowless & Co, Gracechurch-st.

King, John Jas, Preston Candover, Southampton, Esq. Nov 1. Walters & Co, New-sq, Lincoln's-inn.

Pollard, Philip, Brighton, Sussex, Wheelwright. Sept 29. Mills, Brighton.

Roberts, Thos Evans, Abbey Farm, Flint, Farmer. Oct 29. Roberts, St Asaph.

Smith, Wm, sen, Charsfield, Suffolk, Yeoman. Oct 18. Pollard, Ipswich.

Swarbreck, Thos, Thirsk, York, Solicitor. Nov 1. Swarbreck, Thirsk.

Thompson, Hy, Troughend, Northumberland, Yeoman. Dec 1. Ingledew & Daggett, Newcastle-upon-Tyne.

Torr, Geo, Ewell, Surrey, Esq. Oct 1. Child, Paul's Bakehouse-court, Doctors'-commons.

Tout, Geo Juchau, Stockwell-villas, South Lambeth, Gent. Oct 30. Snell, George-st, Mansion-house.

Wilson, Saml, Epperstone, Nottingham, Farmer. Oct 15. Burton & Son, Nottingham.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Aug. 30, 1867.

Ashley, The Hon Anthony Lionel Geo, Grosvenor-sq. Aug 1. Asst Reg Aug 29.

Banks, Hy, Wednesbury, Stafford, Iron Merchant. Aug 26. Asst. Reg Aug 29.
Baker, Robt Chas, Park-st, Camberwell, Sculptor. Aug 17. Comp. Reg Aug 30.
Barratt, Fredk Reeves, Peterborough, Teacher of Music. Aug 1. Asst. Reg Aug 27.
Batchelor, Jas, Kingston-upon-Hull, Dealer in British Wines. July 31. Asst. Reg Aug 28.
Beadnell, Joshua, Whitby, York, Painter. Aug 3. Conv. Reg Aug 30.
Bunyer, Ann, Romford, Essex, Boot Maker. Aug 7. Comp. Reg Aug 27.
Burt, Edwin John, Christie-rd, South Hackney, Gent. Aug 3. Comp. Reg Aug 29.
Cartwright, Eliz, Stanton, Derby. July 31. Comp. Reg Aug 27.
Chamberlain, Geo, Leicester, Shoe Factor. Aug 3. Asst. Reg Aug 29.
Constable, Richd, Hereford, Butcher. Aug 1. Asst. Reg Aug 28.
Cotton, Wm, Bromsgrove, Worcester, Nail Dealer. Aug 17. Asst. Reg Aug 28.
Dadson, Wm Smith, & Albert Wm Dadson, East India-avenue, Leadenhall-st, Merchants. Aug 29. Inspectorship. Reg Aug 30.
Davies, Wm Hy, Cardiff, Glamorgan, Baker. Aug 8. Comp. Reg Aug 27.
Gibbon, Joseph, West Hartlepool, Durham, Builder. Aug 5. Comp. Reg Aug 30.
Golden, Wm Leonard, Brighton, Sussex, Gasfitter. July 27. Comp. Reg Aug 23.
Graham, Jas, Southampton, Draper. Aug 9. Conv. Reg Aug 29.
Henderson, David, Bradford, York, Draper. Aug 2. Asst. Reg Aug 29.
Hinton, Archibald, Annerly, Surrey, Licensed Victualler. July 30 Comp. Reg Aug 27.
Holmes, Wm, Portland-rd, Notting-hill, Carpenter. Aug 24. Comp. Reg Aug 29.
Jones, Alfred Chas, Tollington-rd, Holloway, Schoolmaster. Aug 24. Comp. Reg Aug 28.
Leeming, Robt, Harrogate, York, Grocer. Aug 16. Asst. Reg Aug 29.
Lloyd, John, Middlesborough, York, Grocer. Aug 8. Comp. Reg Aug 30.
MacDougall, Wm, Penzance, Cornwall, Travelling Draper. Aug 7. Inspectorship. Reg Aug 28.
Maddock, Jas, Lpool, Stock Broker. Aug 16. Comp. Reg Aug 28.
Matthews, Robt, Sheffield, Stationer. Aug 3. Asst. Reg Aug 29.
McBride, Wm, Teddington, Middx, Gent. Aug 1. Comp. Reg Aug 29.
Mellows, Hy, Manch, Ironmonger. Aug 26. Comp. Reg Aug 28.
Moore, Jas Richd, Littlehampton, Sussex, Grocer. July 31. Comp. Reg Aug 28.
Parry, Rev Edwd, Kidderminster, Worcester, Dissenting Minister. Aug 26. Comp. Reg Aug 29.
Poole, John, King's Arm-yard, Bill Broker. Aug 21. Comp. Reg Aug 30.
Prest, Jas, St Helen's, Lancaster, Tin Plate Worker. Aug 5. Asst. Reg Aug 28.
Rayner, Jas, Ryde, Isle of Wight, Cabinet Maker. July 31. Asst. Reg Aug 28.
Scott, Geo John, Addle-st, Aldermanbury, Warehouseman. Aug 1. Comp. Reg Aug 28.
Smith, Robt, Thos David Neave, John Smith Ranken, & Benj Gott Kinnear, Leadenhall-st, Merchants. Aug 27. Inspectorship. Reg Aug 29.
Stocker, Alonzo Hy, & Mary Ann Bell, Newark, Nottingham, Plaster Merchants. Aug 2. Asst. Reg Aug 30.
Sutton, Jesse, jun, Houghton, Southampton, Blacksmith. Aug 20. Asst. Reg Aug 28.
Swaebe, Daniel Benmoya, Oxford-st, Tobacconist. Aug 12. Comp. Reg Aug 30.
Tatley, Lambert, Chorley, Lancaster, Railway Wagon Builder. Aug 6. Asst. Reg Aug 29.
Thomson, Benj Lumsden, Angel-pk, Brixton, Comm Agent. Aug 23. Comp. Reg Aug 29.
Tofield, Jas, Masborough, York, Iron Merchant. Aug 9. Conv. Reg Aug 29.
Twentyman, Jas Robt, East Jarrow, Durham, Grocer. Aug 14. Comp. Reg Aug 27.
Tyrer, Peter, Hulme, Lancaster, Wholesale Druggist. Aug 19. Asst. Reg Aug 29.
Walker, Jas, Bury, Lancaster, Hardware Dealer. Aug 6. Asst. Reg Aug 29.
Warburton, Cornelius, Manch, Beer Retailer. Aug 12. Comp. Reg Aug 30.
White, Hy, Union-st, Southwark, General Dealer. Aug 28. Comp. Reg Aug 29.
Wigglesworth, Alfred Fredk, Halifax, York, Tea Dealer. Aug 5 Comp. Reg Aug 29.

TUESDAY, Sept 3, 1867.

Abraham, Valentine Wm, Wilson-st, Bromley, Ship Joiner. Aug 26. Comp. Reg Sept 3.
Baker, Benj, Wellclose-sq, Surgeon. Aug 30. Comp. Reg Sept 3.
Barker, Edwin Hardy, Leeds, Innkeeper. Aug 21. Conv. Reg Sept 3.
Barron, Joseph, Mexbrough, York, Glass Manufacturer. Aug 7. Asst. Reg Aug 31.
Binns, Hy, Kensal New-rd, Stone Mason. Aug 31. Asst. Reg Sept 2.
Blake, Alfd John, Salters' Hall-ct, Cannon-st, Envelope Stamper. Aug 6. Comp. Reg Aug 30.
Bodger, John Edwd, jun, Bedford, Ironmonger. Aug 29. Comp. Reg Aug 30.
Bond, John, Longridge, Lancaster, Roller Maker. Aug 6. Asst. Reg Sept 3.
Bowater, Hy, Kingston-upon-Hull, Baker. Aug 29. Comp. Reg Sept 3.
Bruce, John, West Hartlepool, Durham, Blacksmith. Aug 5. Asst. Reg Sept 2.
Brundrett, Matthew, Manch, Tea Dealer. Aug 16. Comp. Reg Aug 31.
Burch, Joseph, Crag, Chester, Carpet Manufacturer. Aug 3. Asst. Reg Aug 31.
Butel, Pierre Francois Alexandre, Derby, Manufacturing Chemist. Aug 5. Comp. Reg Aug 31.
Caralli, Geo John, Winchester-bdgs, Gt Winchester-st, Merchant. Aug 24. Comp. Reg Sept 2.
Carew, Chas Hallowell Hallowell, Eaton-sq, Esq. Aug 6. Asst. Reg Sept 2.
Dawson, Joseph, Huxley, Chester, Butcher. Aug 6. Asst. Reg Sept 3.
Dutton, David, Walsall, Stafford, Publican. Aug 14. Asst. Reg Aug 30.
Emanuel, Michael, Southampton, Gent. Aug 25. Asst. Reg Sept 2.
Fry, John Gurney, St Helen's-pl, Bishopsgate, Underwriter. Aug 10. Inspectorship. Reg Aug 31.
Gillett, Margaret, Longfleet, Dorset, Widow. Aug 26. Comp. Reg Aug 30.
Graham, Jas Hope, Newport, Monmouth, Travelling Draper. Aug 5. Asst. Reg Sept 2.
Grimley, Joseph, Leicester, Cabinet Maker. Aug 21. Comp. Reg Aug 30.
Harris, Wm Saml, Bramley-rd, Silchester-rd, Notting-hill, Baker. Aug 28. Asst. Reg Aug 31.
Holt, Chas, Goswell-rd, Clerkenwell, Oilman. Aug 15. Comp. Reg Aug 23.
Huddlestone, Robt Ousby, Sheffield, Chemist. Aug 24. Comp. Reg Sept 2.
Kirby, Stephen, Manch, Dealer in Horses. Aug 21. Comp. Reg Sept 3.
Le Boulanger, Louis, & Edwd Lloyd Robert, Beech-st, Barbican, Bonnet Shape Manufacturers. Aug 10. Comp. Reg Sept 3.
Levens, Philip, Birm, Draper. Aug 7. Comp. Reg Sept 2.
Levy, John, Castle-st, Houndsditch, Rag Merchant. Aug 29. Comp. Reg Aug 30.
Lewis, Georgina, Fairford-grove, Chester-st, Lower Kennington-lane, Spinster. Sept 2. Comp. Reg Sept 3.
Loose, Jas, Goswell-rd, Tailor. Aug 8. Comp. Reg Sept 2.
Longstaffe, Edward, Rotherham, York, Confectioner. Aug 10. Asst. Reg Aug 31.
Lusby, John, Gt Grimsby, Ship Chandler. Aug 7. Comp. Reg Aug 31.
Mawson, Jas, Sheffield, Engineer. Aug 8. Comp. Sept 2.
Middleton, John, Hartlepool, Durham, Brassfounder. Aug 26. Comp. Reg Aug 30.
Moore, Ellen, Richmond, Surrey, Dealer in Berlin Wool. Aug 14. Comp. Reg Aug 31.
Moxon, Fras Hy, Sherburn, York, Common Brewer. Aug 8. Asst. Reg Sept 2.
Neesom, Wm, Pateley Bridge, York, Grocer. Aug 20. Asst. Reg Aug 31.
Newball, Geo, Gainsborough, Lincoln, Ropemaker. Aug 5. Asst. Reg Aug 31.
Palmer, Wm, Walworth-rd, Cheesemonger. Aug 6. Asst. Reg Aug 31.
Pearson, Fras Geo, & Robinson Lucas, Sheffield, Edge Tool Manufacturers. Aug 24. Comp. Reg Sept 2.
Perkins, Edwd, Compton-st, Clerkenwell, Grocer. Aug 5. Comp. Reg Sept 2.
Petrali, Angelo, Cardiff, Glamorgan, Watchmaker. Aug 7. Comp. Reg Sept 3.
Rigge, John Sanderson, St Helen's-pl, Bishopsgate, Underwriter. Aug 10. Inspectorship. Reg Aug 31.
Russel, John Howard, St Swithin's-lane, Comm Agent. Aug 5. Comp. Reg Sept 2.
Russell, Jas Crowe, Torquay, Devon, Cabinet Maker. Aug 5. Asst. Reg Sept 2.
Sinnett, Jonas, Pembroke Dock, Pembroke, Shipwright. Aug 29. Comp. Reg Sept 2.
Sleigh, Alex, Lpool, Broker. Aug 24. Asst. Reg Sept 3.
Thompson, Wm Jas, New Broad-st, Comm Agent. Aug 27. Comp. Reg Sept 3.
Weaver, Eliza Anne, Longfleet, Dorset, Widow. Aug 26. Comp. Reg Aug 30.
Wickham, Wm, Eynsford, Kent, Draper. Aug 9. Comp. Reg Aug 31.
Williams, Thos, Treherbert, Glamorgan, Grocer. Aug 15. Comp. Reg Aug 31.
Winterburn, John, Lpool, Auctioneer. Aug 19. Comp. Reg Aug 31.
Woolley, Richd, Birm, Milliner and Hosier. Aug 14. Asst. Reg Sept 2.
Woollett, John, Doughty-st, Mecklenburgh-sq, Barrister-at-Law. July 30. Asst. Reg Sept 2.

Bankrupts.

FRIDAY, Aug. 30, 1867.

To Surrender in London.

Allen, John, Lavender-rd, York-rd, Battersea, Pianoforte Tuner. Pet Aug 27. Roche. Sept 11 at 12. Morris, Leicester-sq.
Amos, Richd, Leyton-rd, Stratford New Town, General Shop-keeper. Pet Aug 26. Roche. Sept 11 at 12. Pittman, Guildhall-chambers, Basinghall-st.
Chessman, Geo Hy, Prisoner for Debt, London. Pet Aug 26 (for pau). Roche. Sept 11 at 12. Goatley, Bow-st, Covent-garden.
Christmas, Chas, Carlton-rd, Asylum-rd, Peckham, Beerseller. Pet Aug 27. Pepys. Sept 11 at 1. Jones, Swan-st, Newington.
Cole, John Fredk, Richmond, Surrey, Livery Stable Keeper. Pet Aug 27. Roche. Sept 11 at 1. Payne, Bedford-row.
Gowing, Ellen, & Mary Wonnacott, Aldgate-st, Walworth-rd. Pet Aug 26. Roche. Sept 11 at 11. Surr & Gribble Nicholas-lane.
Hamilton, Chas, Prisoner for Debt, London. Pet Aug 27 (for pau). Roche. Sept 12 at 1. Bastard, Philpot-lane, Fenchurch-st.
Jordan, Fredk, Prisoner for Debt, London. Pet Aug 17. Roche. Sept 11 at 1. Bastard, Philpot-lane, Fenchurch-st.
Kelly, Thos Chas, Albert-ter, Knightsbridge, Manager. Pet Aug 27. Roche. Sept 11 at 12. Pearpoint, Leicester-sq.
Lake, John, jun, Trafalgar-rd, Camberwell, Mason. Pet Aug 28. Roche. Sept 11 at 1. Dunn, Ludgate-hill.
Michaelis, Matthias, Grace's-alley, Wellclose-sq, Tailor. Pet Aug 26. Roche. Sept 11 at 11. Pittman, Guildhall-chambers, Basinghall-st.

Newman, John, Reading, Berks, Ironmonger. Pet Aug 17. Murray. Sept 10 at 12. Wetherfield, Coleman-st.
Senger, Saml Hurst, Hargrue-pk-ter, Holloway, Carpenter. Pet Aug 26. Roche. Sept 11 at 11. Clarke, St Mary's-sq, Paddington.
Smith, John, Bandon-rd, Victoria-pk, Builder's Forema . Pet Aug 27. Roche. Sept 11 at 12. Philby, Fenchurch-bldgs.
Spragg, Mary Ann, Prisoner for Debt, London. Pet Aug 26. Roche. Sept 11 at 11. Dobie, Basinghall-st.
Taylor, Jas Wm, St Mary's Cray, Kent, Grocer. Pet Aug 28. Roche. Sept 11 at 1. Hope, Ely-pl, Holborn.
Ware, Edwd, Prisoner for Debt, London. Adj Aug 21. Roche. Sept 12 at 12.
Watts, Wm, Barnes, out of business. Pet Aug 28. Roche. Sept 17 at 11. Parsons, King's-Bench-walk, Temple.
Whitling, Robt Chas Storrs, Prisoner for Debt, London. Pet Aug 27. Roche. Sept 17 at 11. Watson & Sons, Bouverie-st, Fleet-st.
Wimbie, Edwd, Tonbridge Wells, Kent, Chemist. Pet Aug 6. Pepys. Sept 11 at 1. Reed & Phelps, Gresham-st.
Worcester, John Randon, Cannon-st, Ship Owner. Pet Aug 26. Roche. Sept 11 at 11. Stocken & Jupp, Leadenhall-st.
Wyatt, Wm Tompson, Blackfriars-rd, Licensed Victualler. Pet Aug. 28. Roche. Sept 11 at 1. Miller & Stubbs, Eastcheap.

To Surrender in the Country.

Abbs, Isaac, Shettisham All Saints, Norfolk, Publican. Pet Aug 26. Palmer. Norwich, Sept 17 at 11. Stanley, Norwich.
Allen, John Isaac, Leicester, out of business. Pet Aug 26. Birm, Sept 10 at 11. Petty, Leicester.
Baker, Mark, Hart's-grounds, nr Chapel-hill, Lincoln, Farmer. Pet Aug 24. Staniland. Boston, Sept 11 at 10. Bailes, Boston.
Baker, Edwin, Cheltenham, Gloucester, Tinman. Pet Aug 23. Gale. Cheltenham, Sept 10 at 11. Chesshyre, Cheltenham.
Barlow, Jas Hy, Prisoner for Debt, Manch. Adj Aug 16. Kay. Manch, Oct 8 at 9.30.
Blight, Hy, Plymouth, Devon, Builder. Pet Aug 19. Exeter, Sept 18 at 12.30. Elworthy & Co, Plymouth.
Bowles, Benj Robt, Philadelphia, Norwich, Dealer in Hay. Pet Aug 16 (for pau). Palmer. Norwich, Sept 16 at 11. Emerson, Norwich.
Pritchard, Joseph, Arnold, Nottingham, Labourer. Pet Aug 28. Patchitt. Nottingham, Oct 9 at 11. Belk, Nottingham.
Bradshaw, Ben Broadbent, Prisoner for Debt, York. Adj Aug 17. Summerscales. Saddleworth, Sept 19 at 12. Taylor, Oldham.
Brocklebank, Geo, Gosforth, Cumberland. Pet Aug 28. Were. Whitehaven, Sept 12 at 11. Paitson, Whitehaven.
Brannen, Thos, Newcastle-upon-Tyne, Innkeeper. Pet Aug 28. Gibson. Newcastle-upon-Tyne, Sept 18 at 12. Joel, Newcastle-upon-Tyne.
Cannon, John, Prisoner for Debt, Manch. Adj Aug 16. Kay. Manch. Oct 8 at 9 30.
Carr, Jas, Monkwearmouth Shore, Durham, Common Brewer. Pet Aug 13. Gibson. Newcastle-upon-Tyne, Sept 17 at 11.30. Hoyle & Co, Newcastle-upon-Tyne.
Christie, Hy, Lpool, Commercial Traveller. Pet Aug 28. Lpool, Sept 13 at 11. Barrell, Lpool.
Coulston, Jonathan Bell, Halifax, York, Attorney's Clerk. Pet Aug 27. Dyson. Sept 13 at 10. Jubb, Halifax.
Crummack, Wm Turner, & Fredk Wright, Birm, Factors. Pet Aug 28. Hill. Sept 13 at 12. Walford, Birm.
Davies, Robt, Lpool, Painter. Pet Aug 27. Hime. Lpool, Sept 12 at 3. Price, Lpool.
Elliott, Wm, Willoughby, Nottingham, Horse Dealer. Pet Aug 28. Tudor. Leicester, Sept 17 at 11. Durrant, Leicester.
Emmerson, Wm, Leeds, Builder. Pet Aug 27. Leeds, Sept 12 at 11. Hopps, Leeds.
Fearn, John, Prisoner for Debt, Manch, Adj Aug 16. Kay. Manch, Oct 8 at 9.30.
Foley, Michael, Swansea, Glamorgan, Grocer. Pet Aug 14. Morris. Swansea. Oct 8 at 2.
Gamble, Wm, Middlesbrough, York, Joiner. Pet Aug 26. Crosby. Stockton-on-Tees, Sept 11 at 11. Dobson, Middlesbrough.
Griffiths, David, Walsall, Stafford, Saddler. Pet Aug 24. Walsall, Sept 28 at 12. Barnett & Co, Walsall.
Hailes, Geo, Birm, Engineer. Pet Aug 28. Hill. Birm, Sept 13 at 12. Hodgson & Son, Birm.
Harvey, Robt Brown, Exeter, Butcher. Pet Aug 26. Daw. Exeter, Sept 10 at 11. Toby, Exeter.
Hansell, John Jas, Stockton-on-Tees, Durham, Furniture Broker. Pet Aug 26. Crosby. Stockton-on-Tees, Sept 11 at 11. Dobson, Middlesbrough.
Hoare, Benj Thos, Beaminster, Dorset, Innkeeper. Pet Aug 26. Templer. Bridport, Oct 10 at 2. Jolliffe, Crewkerne.
Hooper, Saml, Worcester, Tailor. Pet Aug 26. Worcester, Sept 11 at 11. Crisp, Worcester.
Johns, Edward, Prisoner for Debt, Exeter. Adj Aug 19. Pearce. East Stonehouse, Sept 11 at 11. Radcliffe, Plymouth.
Lewarn, Jonathan, Brixham, Devon, Licensed Victualler. Pet Aug 28. Bryett. Totnes. Sept 14 at 12. Mitchelmore, Totnes.
Matthews, Robt, Carlisle, Cumberland, Boot Maker. Pet Aug 27. Halton. Carlisle, Sept 16 at 11. Ostell, Carlisle.
Mitchell, Wm, Raistrick, York, Tar Distiller. Pet Aug 27. Leeds, Sept 12 at 11. Lancaster, Bradford.
Norton, John Wm Shepherd, Brighton, Sussex. Auctioneer. Pet Aug 24. Eversbed. Brighton, Sept 11 at 11. Runnacles, Brighton.
O'Doherty, Chas, Lpool, Tailor. Pet Aug 26. Lpool, Sept 12 at 11. Williams, Lpool.
Ousey, John, Harst Brook, Lancaster, out of business. Pet Aug 27. Hibbert. Glossop, Sept 12 at 3. Toy, Ashton-under-Lyne.
Palmer, Edwd, Warwick, Commission Agent. Adj Aug 21 (for pau). Tibbits, Warwick, Sept 21 at 11.
Parkinson, David, Withernsea, York, Butcher. Pet Aug 22. Ivesen. Hedon, Sept 11 at 11. Summers, Hull.
Pearce, Edwin, Bodmin, Cornwall, Regrater. Pet Aug 20. Collins. Bodmin, Sept 14 at 10. Wallis, Bodmin.
Penfold, Hy, Marden, Kent, Bricklayer. Pet Aug 20. Scudamore. Maidstone, Sept 11 at 12. Goodwin, Maidstone.
Pollard, Wm, Penketh, Lancaster, Cabinet Maker. Pet Aug 22. Nicholson. Warrington, Sept 12 at 11. Moore, Warrington.
Rawnsley, Benj, Sheffield, Labourer. Pet Aug 24. Newman. Rotherham, Sept 23 at 3, Roberts, Sheffield.
Reynolds, Joseph, Prisoner for Debt, Warwick. Adj Aug 21. Guest. Birm, Sept 20 at 10.
Rees, Wm, Merthyr Tydfil, Glamorgan, Builder. Pet Aug 26. Russell. Merthyr Tydfil, Sept 9 at 11. Williams, Merthyr Tydfil.
Richardson, John, Boston, Lincoln, Cornfactor. Pet Aug 27. Hill. Birm, Sept 10 at 11. Brown, Lincoln.
Roberts, David, Pwllheli, Carnarvon, Victualler. Pet Aug 24. Owen. Pwllheli, Sept 10 at 11. Roberts, Pwllheli.
Ross, Alexander, Birm, Beerseller. Pet Aug 14. Guest. Birm, Sept 20 at 10. Maher, Birm.
Rudgley, Edwd Tucker, Freshwater, Isle of Wight, Painter. Pet Aug 26. Blake. Newport, Sept 11 at 12. Joyce, Newport.
Shaw, Jonathan, jun, Rock Ferry, Chester. Pet Aug 27. Lpool, Sept 13 at 12. Norris & Son, Lpool.
Smith, Hannah, Prisoner for Debt, Manch. Adj Aug 14. Leeds, Sept 12 at 11.
Stone, Thos Attwood, Bristol, Banker's Clerk. Pet Aug 27. Wilde. Bristol. Sept 10 at 11 Nash, Bristol.
Tanner, Edwin, Bath, Furniture Broker. Pet Aug 24. Smith. Bath, Sept 9 at 11. Batrrum, Bath.
Thomas, John, Penmaenmawr, Carnarvon, Joiner. Pet Aug 26. Lpool, Oct 1 at 12. Best, Lpool.
Wright, Chas Benedict, Leicester, Carpenter. Pet Aug 27. Hill. Birm, Sept 10 at 11. Owston, Leicester.

TUESDAY, Sept. 3, 1867.

To Surrender in London.

Anderson, Wm, Bennett-st, St James's, Merchant. Pet Aug 26. Roche. Sept 17 at 12. Greig, Verulam-bdgs, Gray's-inn.
Brydone, Robt, Prisoner for Debt, London. Pet Aug 29 (for pau). Roche. Sept 17 at 11. Dobie, Basinghall-st.
Cole, Saml, Tranquilla-ter, Hammersmith West, no occupation. Pet Aug 31. Roche. Sept 17 at 1. Pittman, Guildhall-chambers.
Creighton, Wm, Arbour-ter, Commercial-rd East, out of business. Pet Aug 30. Sept 17 at 12. Sweepstone, York-st West, Commercial-rd.
Davis, Jas Wm, Milton-rd, Hornsey New-town, Commercial Clerk. Pet Aug 31. Murray. Sept 17 at 1. Dobie, Basinghall-st.
Edmonds, Ezekiel, Westbourne-grove-ter, no occupation. Pet Aug 30. Roche. Sept 17 at 12. Haigh, London-wall.
Gates, John, Brighton, Sussex, Lodging House-keeper. Pet Aug 30. Pepys. Sept 11 at 11. Wilde & Barber, Ironmonger-lane.
Kerry, Wm, Newington-green-rd, Islington, Wheelwright. Pet Aug 31. Roche. Sept 17 at 1. Morris, Leicester-sq.
Mason, Chas Augustus, New Millman-st, Guildford-st, out of business. Pet Aug 31. Murray. Sept 17 at 1. Reed, Guildhall-chambers.
Piper, John Herbert, Haverstock-hill, Hampstead, Nurseryman. Pet Aug 30. Roche. Sept 17 at 12. Marshall, Lincoln's-inn-fields.
Steeden, Eli, Bromley, Kent, Carman. Pet Aug 30. Roche. Sept 17 at 12. Marshall, Lincoln's-inn-fields.
Trotman, Louisa Whilhelmina, Prisoner for Debt, London. Pet Aug 29 (for pau). Roche. Sept 17 at 11. Dobie, Basinghall-st.
Woodard, Ebenezer, Prisoner for Debt, London. Pet Aug 29 (for pau). Roche. Sept 17 at 11. Pittman, Guildhall-chambers.
Wright, Hy, Camberwell New-rd, Baker. Pet Aug 30. Pepys. Sept 17 at 12. Bennett, Mark-lane.

To Surrender in the Country.

Armson, Jesse Cyples, Prisoner for Debt, Lancaster. Adj Aug 14. Lpool, Sept 16 at 12.
Bromley, Chas, Runcorn, Chester, Beerseller. Pet Aug 27. Nicholson. Runcorn, Sept 25 at 11. Wood, Runcorn.
Brown, John, Prisoner for Debt, Stafford. Adj Aug 9. Middleton. Stafford, Sept 14 at 10. Greatrex, Stafford.
Burton, Chas, North Marston, Bucks, Miller. Pet Aug 30. Hearn. Buckingham, Sept 13 at 2. Clark, Aylesbury.
Coates, Robt, Hursworth-upon-Tees, Durham, Brick Maker. Pet Aug 30. Bowes. Darlington, Sept 16 at 10. Stevenson, Darlington.
Davies, Thos, Pembroke Docks, Pembroke, Cabinet Maker. Pet Aug 29. Wilde. Bristol, Sept 13 at 11. Lanning, Pembroke.
Eastwood, Thos, Rochdale, Lancaster, Cotton Manufacturer. Pet Aug 29. Murray. Manch, Sept 17 at 11. J. & H. Standring, Rochdale.
Gallimore, John, Prisoner for Debt, Manch. Adj Aug 16. Hulton. Salford. Sept 14 at 9.30.
Goad, Wm Jas Drowrick, Truro, Cornwall. Pet Aug 30. Chilcott. Truro, Sept 14 at 3. Marshall, Truro.
Gunnell, John, King's Lynn, Norfolk, Dealer in Fruit. Pet Aug 29. King's Lynn, Sept 17 at 11. Ward, King's Lynn.
Hayward, Jas Saml, Prisoner for Debt, Walton. Adj Aug 15. Hime. Lpool, Sept 16 at 3. Nordon, Lpool.
Heather, Geo, Lion-green, Surrey, Shoemaker. Pet Aug 26. Hollest. Farnham, Sept 16 at 12. White, Guildford.
Helme, Wm, Halliwell, Lancaster, Quarryman. Pet Aug 29. Holden. Bolton, Sept 18 at 10. Winder, Bolton.
Hobley, Wm, Coventry, Warwick, Licensed Victualler. Pet Aug 29. Kirby. Coventry, Sept 17 at 3. Smallbone, Coventry.
Holmes, David, Leeds, Auctioneer. Pet Aug 31. Leeds, Sept 23 at 11. Booth & Clough, Leeds.
Leech, Adam Scholes, Manch, Fustian Manufacturer. Pet Aug 29. Murray. Manch, Sept 18 at 12. Sale & Co, Manch.
Leverett, Wm, Birm, out of business. Pet Aug 31. Guest. Birm, Sept 20 at 10. Barber, Birm.
Longshaw, Thos, Monks Coppenhall, Chester, Carrier. Pet Aug 29. Broughton. Crewe, Sept 19 at 10. Cooke, Crewe.
Mooney, Michael John, Prisoner for Debt, Lancaster. Adj Aug 14. Lpool, Sept 16 at 11.
Moore, Robt Coddington, Harmston, Lincoln, Farmer. Pet Aug 29. Tudor. Birm, Sept 17 at 11. Chambers, Lincoln.
Moffitt, Edwd, Linden East Farm, Northumberland, Auctioneer. Adj Aug 17. Gibson. Newcastle-upon-Tyne, Sept 17 at 1. Hoyle, Newcastle-upon-Tyne.
Molony, Patrick, Cardiff, Glamorgan, Foreman. Pet Aug 31. Langley. Cardiff, Sept 16 at 11. Raby, Cardiff.
Mountford, Joseph, Northwood, Stafford, Journeyman Potter. Pet Aug 29. Challinor. Hanley, Sept 14 at 11. Tomkinson, Burslem.
Nanson, Robt, Carlisle, Cumberland, Saddler. Pet Aug 29. Halton. Carlisle, Sept 16 at 11. Wannop, Carlisle.

Norman, Geo, Sheepscar, Leeds, Joiner. Pet Sept 2. Leeds, Sept 23 at 11. Myers, Leeds.
Payne, Jas, Birm, Hosier. Pet Aug 29. Guest. Birm, Sept 20 at 10. Pole. Birm.
Pitt, Edwin, Stourport, Worcester, Cordwainer. Pet Aug 30. Talbot. Kidderminster, Sept 13 at 11. Watson, Stourport.
Smith, John, Weston, Chester, Tailor. Pet Aug 8. Broughton. Crewe, Sept 19 at 10. Cooke, Crewe.
Teaver, Joseph Longman, St George, Gloucester, Publican. Pet Aug 24. Wilde. Bristol, Sept 14 at 11. Osborne & Co, Bristol.
Turner, Benj, Newcastle-upon-Tyne, Jeweller. Pet Aug 26. Gibson. Newcastle-upon-Tyne, Sept 18 at 12. Joel, Newcastle-upon-Tyne.
Weddell, Geo Hill, Newcastle-upon-Tyne, out of business. Pet Aug 31. Clayton. Newcastle, Sept 19 at 10. Foster, Newcastle-upon-Tyne.
Welsh, Patrick, Lpool, Hardware Dealer. Pet Aug 29. Lpool, Sept 13 at 3. Masters, Lpool.
Winterbottom, Jas, Birkenhead, Chester, Brush Manufacturer. Pet Aug 29. Wason. Birkenhead, Sept 17 at 2. Anderson, Birkenhead.

BANKRUPTCIES ANNULLED.

FRIDAY, Aug. 30, 1867.

Russel, John Howard, Hawley, Kent, Comm Agent. Aug 30.
Chaffin, Hy, Hart-st, Bloomsbury, Upholsterer. Aug 27.